

FILED MAR 18 1988

SENATE FILE 2314
BY COMMITTEE ON APPROPRIATIONS
Approved (f 9/3)

Passed Senate, Date 4/1/88 Passed House, Date _____
Vote: Ayes 32 Nays 14 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to state agencies
2 whose responsibilities relate to general services, public
3 defense, public safety, transportation, and enforcement, and
4 including allocation and use of moneys from the road use tax
5 fund and abstract fee fund, providing an increase in the
6 abstract fee, mandating reports of certain agency purchases,
7 renaming the chief executive officer of the department of
8 public safety, transferring motor vehicle enforcement
9 investigators from the state department of transportation to
10 the department of public safety, and providing effective
11 dates.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

13 SENATE FILE 2314

14
15 S-5466

16 1 Amend Senate File 2314 as follows:

17 2 1. Page 15, by inserting after line 25 the
18 3 following:

19 4 "Sec. ____ . NEW SECTION. 29A.58A USE OF
20 5 FACILITIES FOR GOVERNMENT COMMODITIES DISTRIBUTION.

21 6 National guard facilities shall be available at no
22 7 charge for the purpose of government commodity program
23 8 distributions. The adjutant general shall adopt
24 9 reasonable requirements concerning notification of the
25 10 distribution for scheduling and cleanup after the
11 monthly distribution."

Adopted 4/1/88
S-5466

Filed March 18, 1988

BY LARRY MURPHY

TLSB 8249SV 72

gk/jw/5

1 IOWA LAW ENFORCEMENT ACADEMY

2 Section 1. There is appropriated from the general fund of
3 the state to the Iowa law enforcement academy for the fiscal
4 year beginning July 1, 1988, and ending June 30, 1989, the
5 following amount, or so much thereof as is necessary, for
6 salaries and support of not more than twenty-two point two
7 full-time equivalent positions, maintenance, and miscellaneous
8 purposes, including jailer training and technical assistance:
9 \$ 707,165

10 Sec. 2. Notwithstanding section 80B.11, subsection 5, dur-
11 ing the fiscal year beginning July 1, 1988, not more than one-
12 half of the cost of providing cognitive and psychological ex-
13 aminations of law enforcement officer candidates may be
14 charged for taking the examinations by the Iowa law
15 enforcement academy. However, no charge shall be made for
16 officer candidates being tested on behalf of state departments
17 or agencies.

18 The Iowa law enforcement academy may also charge not more
19 than one-half of the cost of providing the ten-week course
20 which is designed to meet the minimum basic training require-
21 ments for a law enforcement officer. However, a charge shall
22 not be made for officers employed by state departments or
23 agencies.

24 Sec. 3. The Iowa law enforcement academy is projected to
25 raise at least an additional two hundred one thousand
26 (201,000) dollars in receipts and federal funds.

27 DEPARTMENT OF PUBLIC DEFENSE

28 Sec. 4. There is appropriated from the general fund of the
29 state to the department of public defense for the fiscal year
30 beginning July 1, 1988, and ending June 30, 1989, the
31 following amounts, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 1. For salaries and support of not more than one hundred
34 thirty-nine point forty-two full-time equivalent positions,
35 maintenance, and miscellaneous purposes:

1 \$ 3,256,709

2 Notwithstanding section 29A.33, the per capita annual
3 allowance to units will be five dollars per capita to be paid
4 on a semiannual basis in installments of two dollars fifty
5 cents per capita for the fiscal year beginning July 1, 1988,
6 and ending June 30, 1989. The per capita allowance shall be
7 used for morale purposes and be for the welfare of the troops
8 and in no circumstances expended for support and maintenance.

9 2. For the war orphans educational aid fund:

10 \$ 15,185

11 3. For salaries and support of not more than three full-
12 time equivalent positions, maintenance, and miscellaneous pur-
13 poses for the purpose of emergency response planning:

14 \$ 106,837

15 Sec. 5. There is appropriated from the law enforcement
16 training reimbursement fund to the department of public
17 defense for the fiscal year beginning July 1, 1988, and ending
18 June 30, 1989, the sum of eighty-six thousand (86,000)
19 dollars, or so much thereof as is necessary, for purposes of
20 preventing the contamination of the groundwater in the Camp
21 Dodge area.

22 Sec. 6. The department of public defense is projected to
23 raise at least an additional three million one hundred fifty
24 thousand (3,150,000) dollars in receipts and federal funds.

25 DEPARTMENT OF PUBLIC SAFETY

26 Sec. 7. There is appropriated from the general fund of the
27 state to the department of public safety for the fiscal year
28 beginning July 1, 1988, and ending June 30, 1989, the
29 following amounts, or so much thereof as is necessary, to be
30 used for funding the following functions and programs for the
31 purposes designated:

32 1. For the department's administrative functions including
33 the medical examiner's office and the criminal justice
34 information system, the sum of one million nine hundred ninety
35 thousand six hundred eight (1,990,608) dollars, or so much

1 thereof as is necessary, and as a condition, limitation, and
2 qualification of this appropriation, no more than one million
3 four hundred twenty thousand three hundred thirty-five
4 (1,420,335) dollars from all revenue sources, plus an
5 allocation from the salary adjustment fund pursuant to section
6 8.43, may be expended for salaries and benefits for not more
7 than forty-five full-time equivalent positions and not more
8 than one million one hundred seventy-one thousand four hundred
9 twenty-three (1,171,423) dollars from all revenue sources may
10 be expended for support and miscellaneous purposes.

11 Unanticipated federal and local grants or receipts received
12 after this Act becomes effective are not subject to this
13 condition.

14 2. The balance of the fund created under section 321J.17
15 carried forward for the fiscal year beginning July 1, 1988,
16 and ending June 30, 1989, may be used to provide salary and
17 support of not more than eight point five full-time equivalent
18 positions and maintenance for the victim compensation func-
19 tions of the department of public safety.

20 3. For purposes relating to radio communications, the sum
21 of two million eight hundred twenty-five thousand two hundred
22 ninety-two (2,825,292) dollars, or so much thereof as is
23 necessary, and as a condition, limitation, and qualification
24 of this appropriation, no more than two million two hundred
25 eighty-two thousand eight hundred seventy-six (2,282,876)
26 dollars from all revenue sources, plus an allocation from the
27 salary adjustment fund pursuant to section 8.43, may be
28 expended for salaries and benefits for not more than seventy-
29 eight point five full-time equivalent positions and not more
30 than five hundred fifty-four thousand six hundred sixty-six
31 (554,666) dollars from all revenue sources may be expended for
32 support and miscellaneous purposes. Unanticipated federal and
33 local grants or receipts received after this Act becomes
34 effective are not subject to this condition.

35 4. a. For the division of criminal investigation

1 containing the bureaus of identification and liquor law
2 enforcement, including the state's contribution to the peace
3 officers' retirement, accident, and disability system provided
4 in chapter 97A in the amount of sixteen percent of the
5 salaries for which the funds are appropriated, the sum of
6 three million seven hundred three thousand one hundred eight
7 (3,703,108) dollars, or so much thereof as is necessary, and
8 as a condition, limitation, and qualification of this
9 appropriation, no more than four million one hundred sixty-
10 eight thousand two hundred forty-nine (4,168,249) dollars from
11 all revenue sources, plus an allocation from the salary
12 adjustment fund pursuant to section 8.43, may be expended for
13 salaries and benefits for not more than one hundred eleven
14 full-time equivalent positions and not more than six hundred
15 two thousand three hundred fifty-three (602,353) dollars from
16 all revenue sources may be expended for support and
17 miscellaneous purposes, including lease and lease purchase of
18 laboratory equipment. Unanticipated federal and local grants
19 or receipts received after this Act becomes effective are not
20 subject to this condition.

21 b. Notwithstanding section 384.15, subsection 7, paragraph
22 "b", there is appropriated from the unencumbered and
23 unobligated money remaining in the law enforcement training
24 reimbursement fund on June 30, 1988, to the department of
25 public safety, division of criminal investigation, the sum of
26 two hundred thousand (200,000) dollars, or so much thereof as
27 is necessary, to be used for salaries, support, maintenance,
28 and miscellaneous purposes.

29 5. For the pari-mutuel law enforcement agents, including
30 the state's contribution to the peace officers' retirement,
31 accident, and disability system provided in chapter 97A in the
32 amount of sixteen percent of the salaries for which the funds
33 are appropriated, the sum of two hundred twenty-seven thousand
34 six hundred sixty-five (227,665) dollars, or so much thereof
35 as is necessary, and as a condition, limitation, and

1 qualification of this appropriation, no more than one hundred
2 seventy-seven thousand three hundred thirty-six (177,336)
3 dollars from all revenue sources, plus an allocation from the
4 salary adjustment fund pursuant to section 8.43, may be
5 expended for salaries and benefits for not more than twenty-
6 three full-time equivalent positions and not more than fifty
7 thousand three hundred twenty-nine (50,329) dollars from all
8 revenue sources may be expended for support and miscellaneous
9 purposes. Unanticipated federal and local grants or receipts
10 received after this Act becomes effective are not subject to
11 this condition.

12 6. a. For the division of narcotics, including the
13 state's contribution to the peace officers' retirement,
14 accident, and disability system provided in chapter 97A in the
15 amount of sixteen percent of the salaries for which the funds
16 are appropriated, the sum of nine hundred sixty-nine thousand
17 fifteen (969,015) dollars, or so much thereof as is necessary,
18 and as a condition, limitation, and qualification of this
19 appropriation, no more than eight hundred fifty-nine thousand
20 eight hundred ninety-nine (859,899) dollars from all revenue
21 sources, plus an allocation from the salary adjustment fund
22 pursuant to section 8.43, may be expended for salaries and
23 benefits for not more than five full-time equivalent positions
24 and not more than one hundred thirty-two thousand six hundred
25 sixteen (132,616) dollars from all revenue sources may be
26 expended for support and miscellaneous purposes.
27 Unanticipated federal and local grants or receipts received
28 after this Act becomes effective are not subject to this
29 condition.

30 b. Notwithstanding section 384.15, subsection 7, paragraph
31 "b", there is appropriated from the unencumbered and
32 unobligated money remaining in the law enforcement training
33 reimbursement fund on June 30, 1988, to the department of
34 public safety, division of narcotics, the sum of two hundred
35 thousand (200,000) dollars for undercover purchases by the

1 division of narcotics and local law enforcement agencies.

2 7. For the fire marshal's office, including the state's
3 contribution to the peace officers' retirement, accident, and
4 disability system provided in chapter 97A in the amount of
5 sixteen percent of the salaries for which the funds are
6 appropriated, the sum of one million one hundred ninety-one
7 thousand three hundred ninety-five (1,191,395) dollars, or so
8 much thereof as is necessary, and as a condition, limitation,
9 and qualification of this appropriation, no more than one
10 million one hundred fifty thousand two hundred nineteen
11 (1,150,219) dollars from all revenue sources, plus an
12 allocation from the salary adjustment fund pursuant to section
13 8.43, may be expended for salaries and benefits for not more
14 than thirty-one full-time equivalent positions and not more
15 than one hundred eighty-two thousand two hundred seventy-six
16 (182,276) dollars from all revenue sources may be expended for
17 support and miscellaneous purposes. Unanticipated federal and
18 local grants or receipts received after this Act becomes
19 effective are not subject to this condition.

20 8. For the capitol security division, the sum of nine
21 hundred seventy-six thousand two hundred ninety-two (976,292)
22 dollars, or so much thereof as is necessary, and as a
23 condition, limitation, and qualification of this
24 appropriation, no more than nine hundred two thousand three
25 hundred eighty-seven (902,387) dollars from all revenue
26 sources, plus an allocation from the salary adjustment fund
27 pursuant to section 8.43, may be expended for salaries and
28 benefits for not more than thirty-six full-time equivalent
29 positions and not more than seventy-three thousand nine
30 hundred five (73,905) dollars from all revenue sources may be
31 expended for support and miscellaneous purposes.
32 Unanticipated federal and local grants or receipts received
33 after this Act becomes effective are not subject to this
34 condition.

35 Sec. 8. There is appropriated from the road use tax fund

1 to the department of public safety, division of highway safety
2 and uniformed force, for the fiscal year beginning July 1,
3 1988, and ending June 30, 1989, the following amounts, or so
4 much thereof as is necessary, to be used as follows:

5 1. The sum of nineteen million eight hundred ninety-nine
6 thousand three hundred fifty-one (19,899,351) dollars, or so
7 much thereof as is necessary, and as a condition, limitation,
8 and qualification of this appropriation, no more than sixteen
9 million two hundred six thousand seventy-one (16,206,071)
10 dollars from all revenue sources, plus an allocation from the
11 salary adjustment fund pursuant to section 8.43, may be
12 expended for salaries and benefits for not more than four
13 hundred forty-three full-time equivalent positions and not
14 more than four million ninety-nine thousand five hundred
15 fifty-three (4,099,553) dollars from all revenue sources may
16 be expended for support and miscellaneous purposes including
17 the federal Highway Safety Act program, and the state's
18 contributions to the peace officers' retirement, accident, and
19 disability system provided in chapter 97A in the amount of
20 sixteen percent of the salaries for which the funds are
21 appropriated, and as an additional condition, limitation, and
22 qualification of this appropriation the Iowa law enforcement
23 academy shall be allowed to annually select up to five
24 automobiles of the department of public safety, division of
25 highway safety and uniformed force, which are being turned in
26 to the state vehicle dispatcher to be disposed of by public
27 auction and the Iowa law enforcement academy shall be allowed
28 to exchange any automobile owned by the academy for each
29 automobile selected if the selected automobile is used in
30 training law enforcement officers at the academy, however, any
31 automobile exchanged by the academy shall be substituted for
32 the selected vehicle of the department of public safety and
33 sold by public auction with the receipts being deposited in
34 the depreciation fund to the credit of the department of
35 public safety, division of highway safety and uniformed force.

1 Unanticipated federal and local grants or receipts received
2 after this Act becomes effective are not subject to these
3 conditions.

4 However, the unfunded liability of the peace officers'
5 retirement, accident, and disability system, as of July 1,
6 1986 shall not be considered a liability of the road use tax
7 fund.

8 An employee of the department of public safety or its
9 successor who retires after the effective date of this Act is
10 eligible for payment of life or health insurance premiums as
11 provided for in the collective bargaining agreement covering
12 the public safety bargaining unit at the time of retirement if
13 that employee previously served in a position which would have
14 been covered by the agreement. The employee shall be given
15 credit for the service in that prior position as though it
16 were covered by that agreement. This section shall not
17 operate to reduce any retirement benefits an employee may have
18 earned under other collective bargaining agreements or
19 retirement programs.

20 2. For the capital purchase of mobile vehicle repeater
21 radios and test equipment to be used by the Iowa highway
22 safety patrol, provided that only the lowest, most responsible
23 bid is accepted by the department of public safety in the
24 purchase of these motor vehicle repeater radios:
25 \$ 920,000

26 The mobile vehicle repeater radios are to be placed solely
27 in motor vehicles used by members of the Iowa highway safety
28 patrol below the rank of lieutenant for patrolling the
29 highways.

30 3. For the purpose of making payments to the department of
31 personnel for expenses incurred in administering workers'
32 compensation on behalf of the highway safety division of
33 highway safety and uniformed force:
34 \$ 55,544

35 4. For the purpose of making payments to the department of

1 personnel for expenses incurred in administering the merit
2 system on behalf of the highway safety division of highway
3 safety and uniformed force:

4 \$ 50,000

5 Sec. 9. There is appropriated from the road use tax fund
6 from revenue credited to the road use tax fund under section
7 423.24, subsection 1, paragraph "b" to the department of
8 public safety the sum of six hundred thousand (600,000)
9 dollars, or so much thereof as is necessary, for land
10 acquisition, construction, and other miscellaneous expenses
11 for a new highway patrol post with access to Interstate
12 highways 29, 80, and 680 and the construction of the post's
13 communication tower. Moneys appropriated under this section
14 shall be repaid by the department of public safety to the road
15 use tax fund by June 30, 1991.

16 Sec. 10. There is appropriated from the abstract fee fund
17 created in section 321A.3A to the department of public safety,
18 division of criminal investigation and bureau of
19 identification for the fiscal year beginning July 1, 1988, and
20 ending June 30, 1989, the sum of six hundred thousand
21 (600,000) dollars, or so much thereof as is necessary, for
22 salaries, support, maintenance, and miscellaneous purposes.

23 Sec. 11. There is appropriated from the road use tax fund
24 to the department of public safety, for the fiscal year
25 beginning July 1, 1988, and ending June 30, 1989, the sum of
26 eight hundred thousand (800,000) dollars, or so much thereof
27 as is necessary, for salaries and support of twenty-one full-
28 time equivalent positions, maintenance and miscellaneous
29 purposes for motor vehicle investigators transferred to the
30 department of public safety under this section and for
31 salaries and support of five full-time equivalent clerical
32 staff positions for the clerical staff transferred to the
33 department of public safety under this section.

34 The motor vehicle enforcement investigators employed by the
35 state department of transportation on June 30, 1988, are

1 hereby transferred as motor vehicle enforcement investigators
2 to the department of public safety commencing July 1, 1988.
3 Also transferred to the department of public safety on July 1,
4 1988, shall be the five clerical staff employed by the state
5 department of transportation on June 30, 1988, who have worked
6 with the motor vehicle investigators. In addition, there are
7 transferred to the department of public safety the motor
8 vehicles, equipment, supplies, and records of or used by the
9 motor vehicle enforcement investigators. The motor vehicle
10 enforcement investigators and clerical staff shall be
11 transferred without any loss in salary, benefits, or accrued
12 years of service.

13 Sec. 12. The department of public safety is projected to
14 raise at least an additional one million forty-five thousand
15 (1,045,000) dollars in receipts and federal funds.

16 STATE DEPARTMENT OF TRANSPORTATION

17 Sec. 13. It is a condition, limitation, and qualification
18 for moneys appropriated under this section that the state
19 department of transportation provide the legislative fiscal
20 bureau with copies of the minutes of all meetings of the state
21 transportation commission which occur after the effective date
22 of this Act at no cost to the legislative fiscal bureau, and
23 provided that the condition, limitation, and qualification is
24 met, there is appropriated from the road use tax fund to the
25 state department of transportation for the fiscal year
26 beginning July 1, 1988, and ending June 30, 1989, the
27 following amounts, or so much thereof as may be necessary, to
28 be used for the following purposes:

29 1. For salaries, support, maintenance, and miscellaneous
30 purposes for:

31 a. Administrative services, fifty-two point seventy-five
32 full-time equivalent positions:

33 \$ 3,068,632

34 b. General counsel, one point two full-time equivalent
35 positions:

1 \$ 148,151

2 c. Planning and research, eight point six full-time
3 equivalent positions:

4 \$ 286,216

5 d. Aeronautics and public transit, five full-time
6 equivalent positions:

7 \$ 199,673

8 e. Motor vehicles, five hundred five point three full-time
9 equivalent positions:

10 \$ 14,356,250

11 f. Rail and water, fifteen point four full-time equivalent
12 positions:

13 \$ 586,878

14 2. For the purpose of making payments to the department of
15 personnel for expenses incurred in administering the merit
16 system on behalf of the state department of transportation, as
17 required by chapter 19A:

18 \$ 16,000

19 3. Unemployment compensation:

20 \$ 12,250

21 Sec. 14. There is appropriated from the road use tax fund
22 to the department of personnel for the fiscal year beginning
23 July 1, 1988, and ending June 30, 1989, the sum of thirty-five
24 thousand eighty (35,080) dollars, or so much thereof as is
25 necessary, to be used for the purpose of paying workers'
26 compensation claims under chapter 85 on behalf of employees of
27 the state department of transportation.

28 Sec. 15. There is appropriated from the primary road fund
29 to the state department of transportation for the fiscal year
30 beginning July 1, 1988, and ending June 30, 1989, the
31 following amounts, or so much thereof as may be necessary, to
32 be used for the following purposes:

33 1. For salaries, support, maintenance, and miscellaneous
34 purposes for:

5093 35 a. Administrative services, three hundred one point

1 twenty-five full-time equivalent positions:
2 \$ 18,802,617
3 b. General counsel, six point eight full-time
4 equivalent positions:
5 \$ 876,849
6 c. Planning and research, one hundred sixty-two point four
7 full-time equivalent positions:
8 \$ 5,438,109
9 d. Aeronautics and public transit, five full-time
10 equivalent positions:
11 \$ 199,673
12 e. Highways, two thousand eight hundred seventy-six full-
13 time equivalent positions:
14 \$117,652,377
15 f. Motor vehicles, eighteen point seven full-time
16 equivalent positions:
17 \$ 529,015
18 g. Rail and water, six point six full-time equivalent
19 positions:
20 \$ 248,793
21 2. To be deposited in the state department of
22 transportation's highway materials and equipment revolving
23 fund established by section 307.47 for funding the increased
24 replacement cost of vehicles:
25 \$ 2,000,000
26 3. For the purpose of making payments to the department of
27 personnel for expenses incurred in administering the merit
28 system on behalf of the state department of transportation, as
29 required by chapter 19A:
30 \$ 304,000
31 4. Unemployment compensation:
32 \$ 232,750
33 Sec. 16. There is appropriated from the primary road fund
34 to the department of personnel for the fiscal year beginning
35 July 1, 1988, and ending June 30, 1989, the sum of six hundred

1 sixty-six thousand five hundred forty (666,540) dollars, or so
2 much thereof as is necessary, for the purpose of paying
3 workers' compensation claims under chapter 85 on behalf of the
4 employees of the state department of transportation.

5 Sec. 17. There is appropriated from the state aviation
6 fund to the state department of transportation for the fiscal
7 year beginning July 1, 1988, and ending June 30, 1989, the
8 following amount, or so much thereof as may be necessary, to
9 be used for the following purposes:

10 For salaries and support of not more than nine full-time
11 equivalent positions, maintenance, and miscellaneous purposes:
12 \$ 348,654

13 Sec. 18. There is appropriated from the primary road fund
14 to the state department of transportation for the fiscal year
15 beginning July 1, 1988, and ending June 30, 1989, the
16 following amounts, or so much thereof as is necessary, to be
17 used in the manner designated:

18 1. For repairing the laboratory lot of the
19 Ames office complex:
20 \$ 150,000

21 The provisions of section 8.33 do not apply to the funds
22 appropriated by this subsection. Unencumbered or unobligated
23 funds remaining on June 30, 1990, from funds appropriated for
24 the fiscal year beginning July 1, 1988, shall revert to the
25 fund from which appropriated on September 30, 1990.

26 2. For the replacement of obsolete field facilities
27 located in the cities of Chariton, Waverly, and Maquoketa and
28 the purchase of a parcel of land at Jefferson:
29 \$ 2,055,000

30 The state department of transportation shall continue its con-
31 struction program of replacing obsolete field facilities and
32 shall also conduct a needs assessment study of the
33 department's maintenance facilities construction needs and
34 shall present the findings of the study to the Seventy-third
35 General Assembly in January 1990.

1 All moneys appropriated under this section shall be repaid
2 to the primary road fund if the Greenfield field facility is
3 not completed by June 30, 1991.

4 The provisions of section 8.33 do not apply to the funds
5 appropriated by this subsection. Unencumbered or unobligated
6 funds remaining on June 30, 1992, from funds appropriated for
7 the fiscal year beginning July 1, 1988, shall revert to the
8 fund from which appropriated on September 30, 1992.

9 Sec. 19. Receipts from the sale of aircraft which were
10 replaced under the appropriation provided under 1987 Iowa
11 Acts, chapter 232, section 9, are appropriated from the state
12 aircraft revolving fund to the state department of
13 transportation for the fiscal year beginning July 1, 1988, and
14 ending June 30, 1989, for the purposes of terminal
15 improvements at essential air service airports. In selecting
16 projects, the state department of transportation shall give
17 preference to projects that will assist in maintaining and
18 attracting air service. Priority shall be given to projects
19 for terminals which need matching funds to receive federal
20 moneys and which have annual enplanements of under forty
21 thousand persons. The department shall provide funding for as
22 many essential air service communities as possible.

23 Sec. 20. There is appropriated from the abstract fee fund
24 created in section 321A.3A to the state department of
25 transportation for the fiscal year beginning July 1, 1988, and
26 ending June 30, 1989, the sum of two hundred fifty thousand
27 (250,000) dollars, or so much thereof as is necessary, for the
28 purposes of terminal improvements at essential air service
29 airports. However, moneys appropriated under this section
30 shall not be credited to the department until all moneys
31 appropriated from the abstract fee fund under section 10 of
32 this Act have been fully credited. In selecting projects, the
33 state department of transportation shall give preference to
34 projects that will assist in maintaining and attracting air
35 service. Moneys appropriated under this section shall be used

1 only for new projects for terminals which have annual
2 enplanements of under forty thousand persons. The department
3 shall provide funding for as many essential air service
4 communities as possible.

5 GENERAL SERVICES

6 Sec. 21. There is appropriated from the abstract fee fund
7 created in section 321A.3A to the department of general
8 services for the fiscal year beginning July 1, 1988, and
9 ending June 30, 1989, the sum of five hundred thousand
10 (500,000) dollars for the paving and resurfacing of parking
11 lots on the capitol complex. However, moneys appropriated
12 under this section shall not be credited to the department
13 until all moneys appropriated from the abstract fee fund under
14 section 10 of this Act have been fully credited.

15 Section 8.33 does not apply to the funds appropriated by
16 this section. However, unencumbered or unobligated funds
17 remaining on June 30, 1991, from funds appropriated under this
18 section shall revert to the abstract fee fund on June 30,
19 1991.

20 CODE CHANGES

21 Sec. 22. Section 7E.4, subsection 5, Code 1987, is amended
22 to read as follows:

23 5. "Head of the department" means the elective officer,
24 director, commissioner, or other official in charge of a
25 department.

26 Sec. 23. Section 80.2, Code 1987, is amended to read as
27 follows:

28 80.2 DIRECTOR COMMISSIONER -- APPOINTMENT.

29 The chief executive officer of the department of public
30 safety is the ~~director~~ commissioner of public safety. The
31 governor shall appoint, subject to confirmation by the senate,
32 a ~~director~~ commissioner of public safety, who shall be a
33 person of high moral character, of good standing in the
34 community in which the ~~director~~ commissioner lives, of
35 recognized executive and administrative capacity, and who

1 shall not be selected on the basis of political affiliation.
2 The ~~director~~ commissioner of public safety shall devote full
3 time to the duties of this office; the ~~director~~ commissioner
4 shall not engage in any other trade, business, or profession,
5 nor engage in any partisan or political activity. The
6 ~~director~~ commissioner shall serve at the pleasure of the
7 governor, at an annual salary as fixed by the general
8 assembly.

9 Sec. 24. Section 80.35, Code 1987, is amended by adding
10 the following new unnumbered paragraph:

11 NEW UNNUMBERED PARAGRAPH. Persons employed by the
12 department of transportation as motor vehicle investigators
13 shall be transferred to the department of public safety
14 effective July 1, 1988. Persons transferred pursuant to this
15 section shall retain their positions as motor vehicle
16 investigators, and shall not be subject to the requirements
17 and conditions of section 80.15 and shall remain under the
18 Iowa public employees' retirement system. Persons employed
19 after July 1, 1988, by the department of public safety as
20 motor vehicle investigators shall be subject to the
21 requirements and conditions of section 80.15.

22 Sec. 25. NEW SECTION. 80.40 MOTOR VEHICLE FRAUD AND
23 ODOMETER LAW ENFORCEMENT.

24 The department of public safety shall investigate and
25 prosecute violators of the laws concerning motor vehicle fraud
26 including, but not limited to, the state and federal odometer
27 law. The department of public safety shall refer available
28 evidence concerning a possible violation of the laws
29 concerning motor vehicle fraud including, but not limited to,
30 section 321.71, the federal odometer law, or a rule or order
31 issued under section 321.71 or the federal odometer law, to
32 the attorney general. The attorney general, with or without
33 the referral, may institute appropriate criminal proceedings
34 or may direct the case to the appropriate county attorney to
35 institute appropriate criminal proceedings. The attorney

1 general may use those funds available to the department of
2 public safety for this purpose and law enforcement agencies
3 may be reimbursed for expenses incurred in the enforcement of
4 those laws, rules, or orders with the approval of the attorney
5 general and concurrence by the department of public safety.

6 Sec. 26. Section 307.27, subsection 1, Code 1987, is
7 amended to read as follows:

8 1. Administer and-supervise the registration of motor
9 vehicles pursuant to chapter 321.

10 Sec. 27. Section 307.27, subsection 2, Code 1987, is
11 amended by striking the subsection.

12 Sec. 28. NEW SECTION. 307.39 MAINTENANCE FACILITIES.

13 The department shall maintain maintenance facilities within
14 the boundaries of every county with a population in excess of
15 twelve thousand persons in which the department maintains a
16 maintenance facility as of January 1, 1988.

17 Sec. 29. NEW SECTION. 307.40 COPIES OF CONTRACTS TO
18 LEGISLATIVE FISCAL BUREAU.

19 The department shall give a copy of each contract for
20 construction or reconstruction of roads, streets, or bridges
21 entered into by the department in which the contract price is
22 for five million dollars or more to the legislative fiscal
23 bureau.

24 Sec. 30. Section 307.47, Code 1987, is amended to read as
25 follows:

26 307.47 MATERIALS AND EQUIPMENT REVOLVING FUND.

27 1. The highway materials and equipment revolving fund is
28 created from moneys appropriated out of the primary road fund.
29 From this fund shall be paid all costs for materials and
30 supplies, inventoried stock supplies, maintenance and
31 operational costs of equipment, and equipment replacements
32 incurred in the operation of centralized purchasing under the
33 supervision of the department's administrator of highways.
34 Direct salaries and expenses properly chargeable to direct
35 salaries shall be paid from the fund. For each month the

1 director shall render a statement to each unit under the
2 supervision of the administrator of highways for the actual
3 cost of materials and supplies, operational and maintenance
4 costs of equipment, and equipment depreciation used. The
5 expense shall be paid by the administrator of highways in the
6 same manner as other interdepartmental billings are paid and
7 when the expense is paid by the administrator of highways, the
8 sum paid shall be credited to the highway materials and
9 equipment revolving fund.

10 2. If surplus accrues to the revolving fund in excess of
11 one hundred thousand dollars for which there is no anticipated
12 need or use, the governor shall order that surplus reverted to
13 the primary road fund.

14 3. When the units under the supervision of the
15 administrator of highways share equipment with other
16 administrative units of the department, the director shall
17 prorate the costs of the equipment among the administrative
18 units using the equipment.

19 4. The department shall present a purchase report to the
20 legislative fiscal bureau prior to the beginning of each
21 regular annual session of the general assembly. The report
22 shall cover all equipment and vehicle purchases through the
23 highway materials and equipment revolving fund during the
24 preceding fiscal year.

25 Sec. 31. Section 312.2, subsection 9, Code Supplement
26 1987, is amended to read as follows:

27 9. The treasurer of state, before making the allotments
28 provided for in this section, shall credit annually to the
29 division of soil conservation in the department of agriculture
30 and land stewardship ~~two~~ one hundred fifty thousand dollars
31 from the road use tax funds. The division of soil
32 conservation, in co-operation with the state department of
33 transportation and the department of natural resources shall
34 expend the funds, for the lease or other use of land intended
35 for the planting or maintenance of wind erosion control

1 barriers designed to reduce wind erosion interfering with the
2 maintenance of highways in the state or the safe operation of
3 vehicles on the highway. However, the funds shall not be
4 expended for wind erosion control barriers located more than
5 forty rods from the highway.

6 Sec. 32. Section 312.2, subsections 10 and 11, Code
7 Supplement 1987, are amended by striking the subsections.

8 Sec. 33. Section 312.2, subsection 15, Code Supplement
9 1987, is amended to read as follows:

10 15. The treasurer of state, before making the allotments
11 provided for in this section, shall credit annually to the
12 state department of transportation public safety from the road
13 use tax fund an amount equal to twenty-five cents on each
14 title issuance for motor vehicle fraud law enforcement
15 purposes including, but not limited to, the enforcement of
16 state and federal odometer law-enforcement-purposes laws.
17 ~~This subsection is effective for the fiscal period beginning~~
18 ~~July 1, 1984 and ending June 30, 1989.~~

19 Sec. 34. NEW SECTION. 312.2A ALLOCATIONS FOR TRAILS.

20 1. The treasurer of state, before making the allotments
21 provided for in section 312.2, shall credit annually to the
22 state department of transportation one hundred thousand
23 dollars from the road use tax fund from revenue credited to
24 the road use tax fund under section 423.24, subsection 1,
25 paragraph "b". The state department of transportation shall
26 expend the moneys to carry out the statewide trails
27 development plan provided for in section 111F.2.

28 2. There is appropriated from any private moneys received
29 by the state for recreational trail development purposes to
30 the state department of transportation for the fiscal year
31 beginning July 1, 1988, and ending June 30, 1989, the sum of
32 fifty thousand (50,000) dollars, or so much thereof as is
33 necessary, to acquire land and other property to complete
34 parts of existing recreational trails including, but not
35 limited to, the Cedar Valley nature trail, the Heritage trail,

1 the Grundy county nature trail, and the Comet trail as
2 provided in section 111F.2, subsection 3.

3 Sec. 35. Section 321.1, Code Supplement 1987, is amended
4 by adding the following new subsection:

5 NEW SUBSECTION. 87. "Investigator" means a motor vehicle
6 investigator employed by the department of public safety.

7 Sec. 36. Section 321.2, unnumbered paragraph 1, Code 1987,
8 is amended to read as follows:

9 The state department of transportation shall administer and
10 enforce the provisions of this chapter. The department of
11 public safety shall administer and enforce the provisions of
12 this chapter relating to the duties of its investigators.

13 Sec. 37. Section 321.13, Code 1987, is amended to read as
14 follows:

15 321.13 AUTHORITY TO GRANT OR REFUSE APPLICATIONS.

16 The department and the department of public safety shall
17 examine and determine the genuineness, regularity, and
18 legality of every application lawfully made to ~~the department~~
19 them, and may in all cases make investigation as ~~may be~~ deemed
20 necessary or require additional information, and shall reject
21 any ~~such~~ application if not satisfied of the genuineness,
22 regularity, or legality ~~thereof~~ of the application or the
23 truth of any statement contained therein, or for any other
24 reason, when authorized by law.

25 Sec. 38. Section 321.14, Code 1987, is amended to read as
26 follows:

27 321.14 SEIZURE OF DOCUMENTS AND PLATES.

28 The department ~~is~~ and the department of public safety are
29 hereby authorized to take possession of any registration card,
30 certificate of title, permit, or registration plate,
31 certificate of inspection or any inspection document or form,
32 upon expiration, revocation, cancellation, or suspension
33 thereof, or which is fictitious, or which has been unlawfully
34 or erroneously issued.

35 Sec. 39. Section 321.23, subsections 1 and 4, Code 1987,

1 are amended to read as follows:

2 1. If the vehicle to be registered is a specially
3 constructed, reconstructed, remanufactured or foreign vehicle,
4 such fact shall be stated in the application. A fee of ten
5 dollars shall be paid by the person making the application
6 upon issuance of a certificate of title by the county
7 treasurer. With reference to every specially constructed or
8 reconstructed motor vehicle subject to registration, the
9 application shall be accompanied by a statement from the
10 department of public safety authorizing the motor vehicle to
11 be titled and registered in this state. The department of
12 public safety shall cause a physical inspection to be made of
13 all specially constructed or reconstructed motor vehicles,
14 upon application for a certificate of title by the owner, to
15 determine whether the motor vehicle is in a safe operating
16 condition and that the integral component parts are properly
17 identified and that the rightful ownership is established
18 before issuing the owner the authority to have the motor
19 vehicle registered and titled. With reference to every
20 foreign vehicle which has been registered outside of this
21 state, the owner shall surrender to the treasurer all
22 registration plates, registration cards, and certificates of
23 title, or, if the vehicle to be registered is from a nontitle
24 state, the evidence of foreign registration and ownership as
25 may be prescribed by the department except as provided in
26 subsection 2.

27 4. Any vehicle which does not meet the equipment
28 requirements of this chapter due to the particular use for
29 which it is designed or intended, may be registered by the
30 department upon payment of appropriate fees and after
31 inspection and certification by the department of public
32 safety that the vehicle is not in an unsafe condition and will
33 not endanger any person. A person is not required to have a
34 certificate of title to register a vehicle under this
35 subsection. If the owner elects to have a certificate of

1 title issued for the vehicle, a fee of ten dollars shall be
2 paid by the person making the application upon issuance of a
3 certificate of title. If the department's department of
4 public safety's inspection reveals that ~~that~~ the vehicle may
5 be safely operated only under certain conditions or on certain
6 types of roadways, the department may restrict the
7 registration to limit operation of the vehicle to the
8 appropriate conditions or roadways. This subsection shall not
9 apply to snowmobiles as defined in section 321G.1. Section
10 321.382 does not apply to a vehicle registered under this
11 subsection which is operated exclusively by a handicapped
12 person who has obtained a special identification device as
13 provided in section 601E.6, providing the special
14 identification device is carried in the vehicle and shown to
15 any peace officer on request.

16 Sec. 40. Section 321.44, Code 1987, is amended to read as
17 follows:

18 321.44 REGULATIONS GOVERNING CHANGE OF MOTORS.

19 The director ~~is authorized to enforce such~~ shall adopt
20 rules governing registration as ~~may be~~ deemed necessary by the
21 director and compatible with the public interest with respect
22 to the change or substitution of one engine in place of
23 another in any motor vehicle.

24 Sec. 41. Section 321.62, Code 1987, is amended to read as
25 follows:

26 321.62 RECORDS REQUIRED.

27 Every transporter or dealer shall keep a written record of
28 the vehicles upon which such special plates are used, which
29 record shall be open to inspection by any ~~police~~ peace officer
30 ~~or any officer or employee of the department.~~

31 Sec. 42. Section 321.66, Code 1987, is amended to read as
32 follows:

33 321.66 DUTY TO HOLD VEHICLES.

34 The proprietor of a garage and the proprietor's employees
35 upon discovering that the engine number of a motor vehicle has

1 been altered or obliterated shall immediately notify some
2 ~~member-of-the-department~~ an investigator or a peace officer of
3 the county in which the garage is located, and hold ~~said~~ the
4 vehicle for a period of twenty-four hours or until
5 investigation shall have been made by ~~such~~ the investigator or
6 peace officer.

7 Sec. 43. Section 321.101, subsection 2, Code 1987, is
8 amended to read as follows:

9 2. When ~~the-department~~ an investigator determines that a
10 registered vehicle is mechanically unfit or unsafe to be
11 operated or moved upon the highways.

12 Sec. 44. Section 321.169, Code 1987, is amended to read as
13 follows:

14 321.169 ACCOUNT OF PLATES.

15 The department shall keep an accurate record of all number
16 plates and stickers issued to each county, and shall also keep
17 a record showing the assignment thereof by the county
18 treasurer to motor vehicles. The investigators shall audit
19 all the number plates and stickers on behalf of the
20 department.

21 Sec. 45. Section 321.190, Code 1987, is amended by adding
22 the following new subsection immediately following subsection
23 2 and renumbering succeeding subsections:

24 NEW SUBSECTION. 3. INVESTIGATION. Investigators shall,
25 upon request of the department, investigate violations of
26 subsection 2 for the department. This subsection does not
27 preclude investigation of such violations by other peace
28 officers.

29 Sec. 46. Section 321.462, unnumbered paragraph 2, Code
30 1987, is amended to read as follows:

31 The connection between a truck tractor and a semitrailer
32 with a gross weight of three thousand pounds or more shall be
33 of a type approved by the director, ~~and the commissioner is~~
34 ~~hereby given authority to approve or disapprove such types of~~
35 ~~connection submitted to the commissioner.~~

1 Sec. 47. Section 321A.2, subsection 1, Code 1987, is
2 amended to read as follows:

3 1. The director shall administer and enforce the
4 provisions of this chapter and may make rules necessary for
5 its administration and shall provide for hearings upon request
6 of persons aggrieved by orders or acts of the director under
7 the provisions of sections 321A.4 to 321A.11.

8 ~~Such~~ The hearings shall be held before the director as
9 early as practicable within not to exceed twenty days after
10 receipt of ~~such~~ the request in the county ~~wherein~~ in which the
11 requesting person resides unless the director and ~~such~~ the
12 requesting person agree that ~~such~~ the hearing may be held in
13 some other county. Upon ~~such~~ hearing the director may
14 administer oaths and may issue subpoenas for the attendance of
15 witnesses and the production of relevant books and papers and
16 may require an examination under oath of the person requesting
17 ~~such~~ the hearing.

18 Sec. 48. Section 321A.3, subsection 1, Code Supplement
19 1987, is amended to read as follows:

20 1. The director shall upon request furnish any person a
21 certified abstract of the operating record of a person subject
22 to chapter 321 or this chapter. The abstract shall also fully
23 designate the motor vehicles, if any, registered in the name
24 of the person. If there is no record of a conviction of the
25 person having violated any law relating to the operation of a
26 motor vehicle or of any injury or damage caused by the person,
27 the director shall so certify. A fee of ~~four~~ five dollars
28 shall be paid for each abstract except by state, county, city
29 or court officials. The director shall transfer the moneys
30 collected under this section to the treasurer of state who
31 shall credit annually to the abstract fee fund created under
32 section 321A.3A the first one million four hundred fifty
33 thousand dollars collected and shall credit to the general
34 fund all additional moneys collected.

35 Sec. 49. Section 321A.3, Code Supplement 1987, is amended

1 by adding the following new subsection:

2 NEW SUBSECTION. 5. The director may permit any person to
3 view the operating record of a person subject to chapter 321
4 or this chapter through a computer terminal or computer
5 printout. The director shall not require a fee for a person
6 to view their own operating record, but the director shall
7 impose a fee of one dollar for each of the first five
8 operating records viewed within a calendar day and two dollars
9 for each additional operating record viewed within the
10 calendar day. The director shall transfer the moneys
11 collected under this subsection to the treasurer of state.

12 Sec. 50. Section 321A.3, Code Supplement 1987, is amended
13 by adding the following new subsection:

14 NEW SUBSECTION. 6. Fees under subsections 1 and 5 may be
15 paid by credit cards, as defined in section 537.1301,
16 subsection 16, approved for that purpose by the director of
17 transportation. The director shall enter into agreements with
18 financial institutions extending credit through the use of
19 credit cards to ensure payment of the fees. The director
20 shall adopt rules pursuant to chapter 17A to implement the
21 provisions of this subsection.

22 Sec. 51. Section 321A.3, Code Supplement 1987, is amended
23 by adding the following new subsection:

24 NEW SUBSECTION. 7. Notwithstanding chapter 22 or any
25 other law of this state, the director shall not make available
26 an operating record in a manner which would result in a fee of
27 less than that provided under this section.

28 Sec. 52. NEW SECTION. 321A.3A ABSTRACT FEE FUND.

29 1. There is created the abstract fee fund. Moneys shall
30 be credited from the abstract fee fund as appropriated by the
31 general assembly.

32 2. The treasurer of state, after crediting moneys
33 appropriated from the abstract fee fund, shall credit any
34 moneys remaining in the abstract fee fund on June 30 of each
35 fiscal year to the road use tax fund to be applied toward the

1 repayment of moneys allocated from the road use tax fund to
2 the department of public safety under section 9 of this Act,
3 until the moneys have been repaid in full.

4 Sec. 53. Section 321F.1, subsection 8, Code 1987, is
5 amended to read as follows:

6 8. "Director Commissioner" means the director commissioner
7 of transportation public safety or his the commissioner's
8 designee.

9 Sec. 54. Section 321F.3, Code 1987, is amended to read as
10 follows:

11 321F.3 APPLICATION.

12 The application for a license to engage in business in this
13 state shall be filed with the director commissioner and shall
14 provide such information relating to the applicant's business
15 as the ~~director-may-require~~ commissioner requires.

16 Sec. 55. Section 321F.5, Code 1987, is amended to read as
17 follows:

18 321F.5 DENIAL OR SUSPENSION OF LICENSE.

19 A license shall be denied if the applicant has engaged in
20 business in this state within one year prior to the date of
21 application without first having obtained a license as
22 provided in this chapter, or has violated any rules and
23 regulations of the director commissioner adopted for the
24 administration of this chapter.

25 The license of any licensee who ~~shall-have~~ has violated any
26 provision of this chapter or any rules and regulations of the
27 director commissioner adopted for the administration of this
28 chapter shall be suspended and ~~such the~~ license shall not be
29 renewed nor shall a new license be issued to ~~such the~~ licensee
30 within one year after the date of suspension of the license;
31 provided-that. However, the suspension of a license shall not
32 invalidate any lease entered into by lessor prior to
33 suspension and the parties to the lease shall have the
34 authority and remain liable to perform their respective
35 obligations under ~~such-leases~~ the lease.

1 Sec. 56. Section 321F.6, unnumbered paragraph 1, Code
2 1987, is amended to read as follows:

3 Within ten days after delivery of a motor vehicle under a
4 lease entered into by a lessor, such lessor shall file with
5 the director commissioner evidence of financial responsibility
6 and a copy of the lease, together with a certificate on forms
7 to be provided by the director commissioner, setting forth the
8 name and address of the lessee, the period of the lease, and
9 such other information as the director commissioner may
10 require, except if the lessor has on file with the director
11 commissioner evidence of financial responsibility covering all
12 motor vehicles which may be leased by lessor, the lessor shall
13 not be required to furnish further evidence of financial
14 responsibility after delivery of the motor vehicle under a
15 lease. In addition if a lessor has filed with the director
16 commissioner a lease form under which motor vehicles are to be
17 leased, the lessor shall not be required to file a copy of
18 each lease.

19 Sec. 57. Section 321F.7, Code 1987, is amended to read as
20 follows:

21 321F.7 DUPLICATE CARRIED IN VEHICLE.

22 A duplicate of the certificate required to be filed with
23 the director commissioner under the provisions of section
24 321F.6 shall be carried in the motor vehicle leased in such
25 manner as the director-may-prescribe commissioner requires.

26 Sec. 58. Section 321F.11, Code 1987, is amended to read as
27 follows:

28 321F.11 RULES ADOPTED -- DEPOSIT OF FEES.

29 The director commissioner shall adopt rules for the purpose
30 of administering this chapter. All fees and funds accruing
31 from the administration of this chapter shall be remitted to
32 the treasurer of state monthly and deposited in the road use
33 tax fund.

34 Sec. 59. Section 321H.1, Code 1987, is amended to read as
35 follows:

321H.1 ADMINISTRATION.

The administration of this chapter shall be vested in the director commissioner of the state department of transportation public safety. The department of public safety may employ such employees as are necessary for the administration of this chapter, within applicable budget limitations.

Sec. 60. Section 321H.2, subsection 2, Code 1987, is amended to read as follows:

2. "Department" means the state department of transportation public safety.

Sec. 61. Section 322.1, Code 1987, is amended to read as follows:

322.1 ADMINISTRATION.

The administration of this chapter shall be vested in the director commissioner of transportation public safety. The department may employ such employees as are necessary for the administration of this chapter, provided the amount expended in any one year shall not exceed the revenue derived from the provisions of this chapter.

Sec. 62. Section 322.2, subsection 2, Code 1987, is amended to read as follows:

2. "Department" means the state department of transportation public safety.

Sec. 63. Section 322.24, Code 1987, is amended to read as follows:

322.24 HEARING.

The director commissioner of transportation public safety shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before the director in any matter over which the director has jurisdiction, control or supervision pertaining to this chapter.

If any person shall refuse to obey any such subpoena, or to give testimony, or to produce evidence as required thereby by

Code of Iowa, 549.401

1 the subpoena, any judge of the district court of the state of
2 Iowa in and for Polk county may, upon application and proof of
3 such refusal, make an order awarding process of subpoena, or
4 subpoena duces tecum, out of the said court, for the witness
5 to appear before the director commissioner of public safety and
6 to give testimony, and to produce evidence as required
7 thereby. Upon filing such the order in the office of the
8 clerk of said court, the clerk shall issue process of
9 subpoena, as directed, under the seal of said the court,
10 requiring the person to whom it is directed to appear at the
11 time and place therein designated.

12 Sec. 64. Section 322A.1, subsection 7, Code 1987, is
13 amended to read as follows:

14 7. "Department" means the state department of
15 transportation public safety.

16 Sec. 65. Section 322B.2, subsection 3, Code 1987, is
17 amended to read as follows:

18 3. "Department" means the state department of
19 transportation public safety.

20 Sec. 66. Section 322B.7, subsection 1, Code 1987, is
21 amended to read as follows:

22 1. The state department of ~~transportation~~ shall prescribe
23 adopt reasonable rules under chapter 17A for the
24 administration and enforcement of this chapter.

25 Sec. 67. Section 322C.1, Code 1987, is amended to read as
26 follows:

27 322C.1 ADMINISTRATION.

28 This chapter shall be administered by the director
29 commissioner of transportation public safety. The state
30 department of transportation public safety may employ persons
31 necessary ~~or~~ for the administration of this chapter.

32 Sec. 68. Section 322C.2, subsection 2, Code 1987, is
33 amended to read as follows:

34 2. "Department" means the state department of
35 transportation public safety.

1 Sec. 69. Section 307.37, Code 1987, is repealed.

2 MISCELLANEOUS PROVISIONS

3 Sec. 70. 1983 Iowa Acts, chapter 198, section 31, as
4 amended by 1984 Iowa Acts, chapter 1309, section 9, is amended
5 to read as follows:

6 SEC 31. Notwithstanding the provisions of section 423.24,
7 there is transferred from revenues collected under chapter 423
8 during the fiscal year beginning July 1, 1983, and ending June
9 30, 1984, from the use tax imposed on motor vehicles,
10 trailers, and motor vehicle accessories and equipment under
11 section 423.7 the sum of one million (1,000,000) dollars which
12 shall be transferred to the state department of transportation
13 for public transit assistance for the fiscal year beginning
14 July 1, 1983, and ending June 30, 1984. The funds transferred
15 under this section to the state department of transportation
16 for public transit assistance shall be considered an interest-
17 free loan of funds to be received for public transit
18 assistance under the Surface Transportation Assistance Act of
19 1982 and the road use tax fund shall receive reimbursement of
20 the loan during the fiscal period beginning July 1, 1984, and
21 ending June 30, 1989. However, any portion of the loan not
22 reimbursed to the road use tax fund by July 1, 1988, is
23 forgiven.

24 Sec. 71. 1987 Iowa Acts, chapter 232, section 1, unnum-
25 bered paragraph 2, is amended to read as follows:

26 Notwithstanding section 384.15, subsection 7, paragraph
27 "b", there is appropriated from the unencumbered and
28 unobligated money remaining in the law enforcement training
29 reimbursement fund on June 30, 1987, to the Iowa law
30 enforcement academy the sum of twenty-eight thousand two
31 hundred (28,200) dollars for repair of ~~a-chiller-unit,~~ repair
32 of-a-parking-lot, the roof over the indoor firearms range,
33 kitchen equipment, repair or replacement of ~~carpet-and~~
34 replacement-of-a-washing-machine floors at the academy.
35 Notwithstanding section 8.33, the unencumbered and unobligated

1 funds remaining in the appropriation of this paragraph shall
2 revert to the general fund on June 30, 1988.

3 Sec. 72. 1987 Iowa Acts, chapter 232, section 6,
4 subsection 2, is amended by adding the following new
5 unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
7 the funds appropriated by this subsection. However, unencum-
8 bered or unobligated funds remaining on June 30, 1989, from
9 funds appropriated under this subsection shall revert to the
10 road use tax fund on June 30, 1989.

11 Sec. 73. 1987 Iowa Acts, chapter 232, section 10, is
12 amended by adding the following new subsection:

13 NEW SUBSECTION. 6. To meet the requirements of the
14 groundwater protection law by putting in place sniffer wells
15 for the detection of leakage from underground storage tanks:
16 \$ 350,000

17 Section 8.33 does not apply to the funds appropriated by
18 this subsection. However, unencumbered or unobligated funds
19 remaining on June 30, 1989, from funds appropriated for the
20 fiscal year beginning July 1, 1987, and ending June 30, 1988,
21 shall revert to the fund from which appropriated on June 30,
22 1989.

23 Sec. 74. 1987 Iowa Acts, chapter 232, section 11, is
24 amended by adding the following new unnumbered paragraph:

25 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
26 the funds appropriated by this section. However, unencumbered
27 or unobligated funds remaining on June 30, 1989, from funds
28 appropriated under this section shall revert to the road use
29 tax fund on June 30, 1989.

30 Sec. 75. 1987 Iowa Acts, chapter 232, section 15,
31 subsection 3, is amended to read as follows:

32 3. Section 8.33 does not apply to the funds appropriated
33 by this section. However, unencumbered or unobligated funds
34 remaining on June 30, ~~1991~~ 1993 from funds appropriated for
35 the fiscal year beginning July 1, 1987 shall revert to the

1 fund from which appropriated on September 30, ~~1991~~ 1993.

2 Sec. 76. 1987 Iowa Acts, chapter 232, section 30, is
3 amended to read as follows:

4 SEC. 30. 1986 Iowa Acts, chapter 1246, section 12, is
5 amended by adding the following new unnumbered paragraph:

6 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
7 the funds appropriated by subsection 5 of this section.
8 However, unencumbered or unobligated funds remaining on June
9 30, 1991, from funds appropriated for the fiscal year
10 beginning July 1, 1986, shall revert to the fund from which
11 appropriated on September 30, 1991.

12 Sec. 77. 1987 Iowa Acts, chapter 233, section 120,
13 subsections 2 through 4, are amended to read as follows:

14 2. There is appropriated from the road use tax fund of the
15 state to the state department of transportation, for the
16 fiscal year beginning July 1, 1987, the sum of ~~two~~ six hundred
17 ninety-six thousand forty-five (~~296,045~~ 696,045) dollars, or
18 so much thereof as may be necessary, to supplement other funds
19 appropriated by the general assembly.

20 3. There is appropriated from the road use tax fund of the
21 state to the department of public safety, for the fiscal year
22 beginning July 1, 1987, the sum of ~~five-hundred~~ one million
23 sixty-five thousand nine hundred eighteen (~~565,918~~ 1,065,918)
24 dollars, or so much thereof as may be necessary, to supplement
25 other funds appropriated by the general assembly.

26 4. There is appropriated from the primary road fund to the
27 state department of transportation, for the fiscal year
28 beginning July 1, 1987, the sum of ~~two~~ four million one
29 hundred fifty-nine thousand seven hundred thirteen (~~2,159,713~~
30 4,159,713) dollars, or so much thereof as may be necessary, to
31 supplement other funds appropriated by the general assembly.

32 Sec. 78. Moneys appropriated for any new program or
33 function shall be used solely for that program or function and
34 moneys shall not be transferred from such appropriations or
35 used for any other purpose.

11 Sec. 79. The legislative fiscal bureau shall conduct a
12 program evaluation of the administration of motor vehicles of
13 the state department of transportation specifically reviewing
14 the administration's law enforcement functions. The
15 legislative fiscal bureau shall make recommendations about the
16 appropriateness of those functions in the state department of
17 transportation. The recommendations shall be completed by
18 December 1, 1988, and presented to the members of the general
19 assembly.

20 Sec. 80. Each department of state government, when making
21 purchases of twenty-five thousand dollars or more for which
22 the department does not have specific prior authority from the
23 general assembly, shall notify the legislative fiscal bureau,
24 department of management, and all of the members of the
25 department's respective joint appropriation subcommittee at
26 the time the bids are let.

27 Sec. 81. The director of public safety on June 30, 1988,
28 is the commissioner of public safety on July 1, 1988.

29 Sec. 82. The Code editor shall amend all references in the
30 Code to the director of public safety by striking the word
31 "director" and inserting the word "commissioner".

32 Sec. 83. All federal grants to and the federal receipts of
33 the agencies appropriated funds under this Act are
34 appropriated for the purposes set forth in such federal grants
35 and receipts unless otherwise provided by the general
assembly.

36 Sec. 84.

37 1. Any rule, regulation, form, order or directive promul-
38 gated by the director of transportation or state department of
39 transportation and in effect on the effective date of this Act
40 shall continue in full force and effect until amended, re-
41 pealed, or supplemented by affirmative action by the
42 commissioner of public safety or department of public safety
43 under the duties and powers assigned thereto by this Act. Any
44 license or permit issued by the state department of

1 transportation under chapter 321F, 321H, 322, 322B, or 322C,
2 and in effect on the effective date of this Act shall continue
3 in full force and effect until expiration or renewal. The
4 records of the state department of transportation relating to
5 the enforcement of chapters 321F, 321H, 322, 322A, 322B, and
6 322C shall be transferred to the department of public safety
7 including access to necessary computer hardware and software
8 for access to such records.

9 2. In regard to updating references and format in the Iowa
10 administrative code in order to correspond with the
11 restructuring of duties and responsibilities of the state
12 department of transportation and the department of public
13 safety pursuant to this Act, the administrative rules co-
14 ordinator and the administrative rules review committee, in
15 consultation with the administrative Code editor, shall
16 jointly develop a schedule for the necessary updating of the
17 Iowa administrative code.

18 Sec. 85. This section, section 7, section 72, and section
19 74 of this Act take effect June 30, 1988.

20 Sec. 86. This section and sections 31, 34, 71, 73, 76, and
21 77 of this Act, being deemed of immediate importance, take
22 effect upon enactment.

23 EXPLANATION

24 The bill appropriates moneys to the state department of
25 transportation, the department of public defense, the de-
26 partment of public safety, the department of general services,
27 and the Iowa law enforcement academy for the fiscal year
28 beginning July 1, 1988, and ending June 30, 1989.

29 Sections 7 and 8 condition various appropriations to the
30 department of public safety upon stated amounts not being
31 exceeded in expenditures for salaries and benefits to
32 specified numbers of full-time equivalent positions and upon
33 specified amounts not being exceeded for expenditures for
34 support and miscellaneous purposes.

35 Section 8, subsection 1, further conditions an

1 appropriation to the department of public safety, division of
2 highway safety and uniformed force, upon allowing the Iowa law
3 enforcement academy to select up to five cars annually from
4 vehicles the division is turning in to the state vehicle
5 dispatcher to be disposed of by public auction and exchange
6 these vehicles for vehicles owned by the academy if the
7 selected vehicles are used for training law enforcement
8 officers at the academy. Moneys received from the sale of the
9 exchanged automobiles are credited to the depreciation fund of
10 the division.

11 Sections 11, 24 through 27, 33, 35 through 47, 53 through
12 69, and 84, transfer the duties of vehicle theft investigation
13 officers from the state department of transportation to the
14 department of public safety and transfers certain personnel
15 from the state department of transportation to the department
16 of public safety.

17 Section 13 conditions an appropriation to the state
18 department of transportation upon the department providing
19 copies of the minutes of all meetings of the state
20 transportation commission which occur after the effective date
21 of the bill at no cost to the legislative fiscal bureau.

22 Section 18 requires the state department of transportation
23 to conduct a needs assessment of the department's maintenance
24 facilities construction needs with the department presenting
25 the findings of the study to the Seventy-third General
26 Assembly in January 1990.

27 Section 22 allows the head of a department to be named
28 "commissioner" whether or not the person heads a commission.
29 Sections 23, 53, through 59, 61, 63, 67, and 81 rename the
30 chief executive officer of the department of public safety to
31 commissioner of public safety and section 82 directs the Code
32 editor to change all references in the Code to the director of
33 public safety to the commissioner of public safety.

34 Sections 25 and 33 expand the use of moneys appropriated
35 from the road use tax fund for state and federal odometer law

1 enforcement to include enforcement of all laws concerning
2 motor vehicle fraud. Section 33 eliminates a June 30, 1989,
3 sunset of the appropriation.

4 Section 28 requires the state department of transportation
5 to maintain maintenance facilities within the boundaries of
6 every county with a population in excess of twelve thousand
7 persons in which the department maintains a maintenance
8 facility as of January 1, 1988.

9 Section 29 requires the state department of transportation
10 to give copies to the legislative fiscal bureau of each
11 contract for construction or reconstruction of roads, streets,
12 or bridges entered into by the department in which the
13 contract price is \$5,000,000 or more.

14 Section 30 requires the state department of transportation
15 to present a purchase report to the legislative fiscal bureau
16 prior to the beginning of each regular annual session of the
17 general assembly covering all equipment and vehicle purchases
18 through the highway materials and equipment revolving fund
19 during the preceding fiscal year.

20 Section 31 reduces an appropriation for wind erosion
21 control barriers for highways by \$100,000 and section 34
22 appropriates the \$100,000 to carry out the statewide trails
23 development plan.

24 Section 32 repeals provisions providing funding for the
25 great river road.

26 Section 48 raises the fee for abstracts of driving records
27 certified by the director of transportation by one dollar and
28 allocates the moneys received for the abstracts with one
29 million four hundred fifty thousand dollars credited annually
30 to the abstract fee fund created in section 52 and the
31 remaining money credited to the general fund. Moneys in the
32 abstract fee fund are to be appropriated by the general
33 assembly. The initial appropriations from the abstract fee
34 fund are contained in sections 10, 20, and 21. Any moneys
35 remaining in the abstract fee fund on June 30 of each year,

1 which have not been appropriated, are credited to the road use
2 tax fund toward the repayment of moneys allocated from the
3 road use tax fund to the department of public safety under
4 section 9 until the moneys have been repaid in full.

5 Section 49 requires the director of transportation to
6 charge a dollar fee for each of the first five operating
7 records viewed through a computer terminal or computer
8 printout which is not the person's own operating record and
9 two dollars for each operating record viewed thereafter in a
10 calendar day. Moneys collected through this fee are credited
11 to the abstract fee fund and general fund.

12 Section 50 allows fees charged by the director for
13 operating records to be paid through the use of credit cards.
14 Section 51 prohibits the director of transportation from
15 providing operating records at a fee less than that provided
16 under section 321A.3.

17 Section 70 forgives the repayment of a loan for public
18 transit assistance.

19 Sections 71, 72, 74, 75, and 76 pertain to appropriations
20 made in preceding fiscal years.

21 Section 73 appropriates moneys to the state department of
22 transportation to meet the requirement of the groundwater
23 protection law by putting in place sniffer wells.

24 Section 79 requires the legislative fiscal bureau to
25 conduct a program evaluation of the administration of motor
26 vehicles of the state department of transportation
27 specifically reviewing the administration's law enforcement
28 functions.

29 Section 80 requires each department of state government,
30 when making purchases of \$25,000 or more for which the
31 department does not have specific prior authority from the
32 general assembly, to notify the legislative fiscal bureau,
33 department of management, and all of the members of the
34 department's respective joint appropriations subcommittee at
35 the time the bids are let.

1 Sections 85 and 86 contain various effective dates for
2 sections of the bill. All other sections of the bill take
3 affect July 1 following its enactment.

4 SIMILAR TO LSB 8249SC

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SENATE FILE 2314

95

1 Amend Senate File 2314 as follows:

2 1. By striking page 9, line 23 through page 10,
3 line 12.

4 2. Page 11, line 8, by striking the word "five
5 point" and inserting the following: "thirty-one
6 point".

7 3. Page 11, line 10, by striking the figure
8 "14,356,250" and inserting the following:
9 "15,156,250".

10 4. By striking page 16, line 9 through page 17,
11 line 11.

12 5. Page 17, by inserting before line 12 the
13 following:

14 "Sec. ____ . Section 307.37, Code 1987, is amended
15 to read as follows:

16 307.37 MOTOR VEHICLE FRAUD AND ODOMETER LAW
17 ENFORCEMENT.

18 The department shall investigate and prosecute
19 violators of the laws concerning motor vehicle fraud
20 including, but not limited to, the state and federal
21 odometer law. The department shall refer available
22 evidence concerning a possible violation of the laws
23 concerning motor vehicle fraud including, but not
24 limited to, section 321.71 or the federal odometer law
25 or a rule or order issued under section 321.71 or the
26 federal odometer law, to the attorney general. The
27 attorney general, with or without the referral, may
28 institute appropriate criminal proceedings or may
29 direct the case to the appropriate county attorney to
30 institute appropriate criminal proceedings. The
31 attorney general may use those funds available to the
32 department for this purpose and law enforcement
33 agencies may be reimbursed for expenses incurred in
34 the enforcement of ~~the state and federal odometer~~
35 those laws, rules, or orders with the approval of the
36 attorney general and concurrence by the department."

37 6. Page 19, by striking line 12 and inserting the
38 following: "state department of transportation from
39 the road".

40 7. By striking page 20, line 3 through page 23,
41 line 28.

42 8. Page 24, line 3, by striking the words "and
43 enforce" and inserting the following: "and enforce".

44 9. By striking page 26, line 4 through page 30,
45 line 1.

46 10. Page 33, by striking lines 3 and 4 and
47 inserting the following: "the state department of
48 transportation. The state department of
49 transportation and the department of public safety
50 shall cooperate with the legislative fiscal bureau in

S-5495 Page 2

providing information required by the legislative
2 fiscal bureau in the program evaluation. The".

3 11. By striking page 33, line 27, through page
4 34, line 17.

5 12. Title page, by striking lines 8 through 10
6 and inserting the following: "public safety, and
7 providing effective".

S-5495

Filed March 21, 1988 ADOPTED

BY JOE WELSH

Adopted (p. 202)

SENATE FILE 2314

S-5494

1 Amend Senate File 2314 as follows:

2 1. Page 33, line 10, by inserting after the word
3 "government" the following: "receiving appropriations
4 under this Act".

S-5494

Filed March 21, 1988 ADOPTED

BY JOE WELSH

Adopted (p. 202)

SENATE FILE 2314

S-5473

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 30, by striking lines 21 through 23
- 3 and inserting the following: "ending June 30, 1989."

S-5473

Filed March 21, 1988

ADOPTED

BY DALE L. TIEDEN

EMIL J. HUSAK

Adopted (p. 925)

SENATE FILE 2314

S-5474

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 19, by inserting after line 18 the
- 3 following:
- 4 "Sec. ____ . Section 312.2, subsection 17, Code
- 5 Supplement 1987, is amended to read as follows:
- 6 17. The treasurer of state, before making the
- 7 allotments provided for in this section, shall credit
- 8 monthly from the road use tax fund to the public
- 9 transit assistance fund, created under section 6010.6,
- 10 from revenue credited to the road use tax fund under
- 11 section 423.24, subsection 1, paragraph "b", an amount
- 12 equal to one fortieth of the revenue credited to the
- 13 road use tax fund under section 423.24, subsection 1,
- 14 paragraph "b"."

S-5474

Filed March 21, 1988

ADOPTED

BY DONALD GETTINGS

Adopted (p. 925)

SENATE FILE 2314

S-5475

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 24, by inserting after line 34 the
- 3 following:
- 4 "Sec. ____ . Section 321A.3, subsection 2, Code
- 5 Supplement 1987, is amended to read as follows:
- 6 2. A sheriff may provide an abstract of the
- 7 operating record of a person to the person or an
- 8 individual authorized by the person. The sheriff
- 9 shall charge a fee of ~~four~~ five dollars for each
- 10 abstract which the sheriff shall transfer to the
- 11 director quarterly. The sheriff may charge an
- 12 additional fee sufficient to cover costs incurred by
- 13 the sheriff in producing the abstract."

S-5475

Filed March 21, 1988

ADOPTED

BY DONALD E. GETTINGS

Adopted (p. 925)

SENATE FILE 2314

S-5477

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 8, by striking lines 8 through 19.

S-5477

Filed March 21, 1988

ADOPTED

BY JOE WELSH

LEE W. HOLT

Adopted (p. 925)

SENATE FILE 2314

S-5478

1 Amend Senate File 2314 as follows:

1. Page 5, lines 5 and 6, by striking the word "twenty-three" and inserting the following: "five".
2. Page 5, line 23, by striking the word "five" and inserting the following: "twenty-three".

S-5478

Filed March 21, 1988 *Adopted (p. 420)* ADOPTED BY DONALD GETTINGS

SENATE FILE 2314

S-5482

1 Amend Senate File 2314 as follows:

1. Page 34, by inserting before line 18 the following:
"Sec. ____ . The legislative council shall cause an audit to be made of moneys appropriated to the state department of transportation. There is appropriated from the primary road fund such moneys as necessary for making this audit."

S-5482

Filed March 21, 1988 *Adopted (p. 420)* ADOPTED BY C. JOSEPH COLEMAN

SENATE FILE 2314

S-5483

1 Amend Senate File 2314 as follows:

1. Page 19, by striking lines 20 through 27.

S-5483

Filed March 21, 1988 *Adopted (p. 420)* ADOPTED BY LEE HOLT

SENATE FILE 2314

S-5485

1 Amend Senate File 2314 as follows:

1. Page 2, by striking lines 15 and 16, and inserting the following:
"Sec. 5. Notwithstanding section 384.15, subsection 7, paragraph "b", there is appropriated from the unencumbered and unobligated funds remaining in the law enforcement training reimbursement fund on June 30, 1988, to the department of public".

S-5485

Filed March 21, 1988 *Adopted* ADOPTED BY RICHARD VANDE HOEF

ALVIN MILLER

SENATE FILE 2314

S-5487

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 14, by striking lines 1 through 3 and
- 3 inserting the following:
- 4 "The state department of transportation shall
- 5 complete the Greenfield field facility by June 30,
- 6 1991."

S-5487

Filed March 21, 1988 ADOPTED BY DONALD GETTINGS

Adopted (p. 925)

SENATE FILE 2314

S-5489

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 17, line 15, by striking the word
- 3 "twelve" and inserting the following: "eight".

S-5489

Filed March 21, 1988 ADOPTED BY BERL E. PRIEBE

Adopted (p. 925)

SENATE FILE 2314

S-5488

- 1 Amend Senate File 2314 as follows:
- 2 1. Page 25, by striking lines 7 through 10 and
- 3 inserting the following: "impose a fee of two dollars
- 4 for each operating record viewed in excess of twenty-
- 5 five in any one calendar day. The director shall
- 6 transfer the moneys".

S-5488

Filed March 21, 1988 ADOPTED BY WILLIAM D. PALMER

Adopted (p. 925)

JOE J. WELSH

SENATE FILE 2314

90

1 Amend Senate File 2314 as follows:

2 1. By striking page 9, line 23 through page 10,
3 line 12.

4 2. Page 11, line 8, by striking the words "five
5 point" and inserting the following: "thirty-one
6 point".

7 3. Page 11, line 10, by striking the figure
8 "14,356,250" and inserting the following:
9 "15,156,250".

10 4. By striking page 16, line 9 through page 17,
11 line 11.

12 5. Page 17, by inserting before line 12 the
13 following:

14 "Sec. _____. Section 307.37, Code 1987, is amended
15 to read as follows:

16 307.37 MOTOR VEHICLE FRAUD AND ODOMETER LAW
17 ENFORCEMENT.

18 The department shall investigate and prosecute
19 violators of the laws concerning motor vehicle fraud
20 including, but not limited to, the state and federal
21 odometer law. The department shall refer available
22 evidence concerning a possible violation of the laws
23 concerning motor vehicle fraud including, but not
24 limited to, section 321.71 or the federal odometer law
25 or a rule or order issued under section 321.71 or the
26 federal odometer law, to the attorney general. The
27 attorney general, with or without the referral, may
28 institute appropriate criminal proceedings or may
29 direct the case to the appropriate county attorney to
30 institute appropriate criminal proceedings. The
31 attorney general may use those funds available to the
32 department for this purpose and law enforcement
33 agencies may be reimbursed for expenses incurred in
34 the enforcement of ~~the state and federal odometer~~
35 those laws, rules, or orders with the approval of the
36 attorney general and concurrence by the department."

37 6. Page 19, by striking line 12 and inserting the
38 following: "state department of transportation from
39 the road".

40 7. By striking page 20, line 3 through page 23,
41 line 28.

42 8. Page 24, line 3, by striking the words "and
43 enforce" and inserting the following: "and enforce".

44 9. By striking page 26, line 4 through page 30,
45 line 1.

46 10. By striking page 33, line 27, through page
47 34, line 17.

90

SENATE 9
MARCH 22, 1988

SENATE FILE 2314

S-5491

1 Amend Senate File 2314 as follows:
2 1. Page 10, line 31, by striking the word "fifty-
3 two" and inserting the following: "forty-eight".
4 2. Page 10, line 33, by striking the figure
5 "3,068,632" and inserting the following: "2,934,438".
6 3. Page 11, line 35, by striking the words "three
7 hundred one" and inserting the following: "two
8 hundred eighty-seven".
9 4. Page 12, line 2, by striking the figure
10 "18,802,617" and inserting the following:
11 "18,075,395".

S-5491

Filed March 21, 1988 LOST BY RICHARD VANDE HOEF
C. JOSEPH COLEMAN

SENATE FILE 2314

S-5492

1 Amend Senate File 2314 as follows:
2 1. Page 24, by striking lines 29 through 34 and
3 inserting the following: "or court officials. The
4 director shall transfer one-fifth of the moneys
5 collected under this section to the treasurer of state
6 to be credited to the abstract fee fund created under
7 section 321A.3A."
8 2. Page 25, by striking lines 10 and 11 and
9 inserting the following: "calendar day."

S-5492

Filed March 21, 1988 OUT OF ORDER BY RICHARD DRAKE

SENATE FILE 2314

S-5493

1 Amend Senate File 2314 as follows:
2 1. Page 24, by striking lines 29 through 34 and
3 inserting the following: "or court officials. The
4 director shall transfer one-fifth of the moneys
5 collected under this section to the treasurer of state
6 to be credited to the abstract fee fund created under
7 section 321A.3A."

S-5493

Filed March 21, 1988 LOST BY RICHARD DRAKE

No. Appropriation Bill Amend for 6042
Do Pass 5/24 (p. 1177)

SENATE FILE 2314
BY COMMITTEE ON APPROPRIATIONS

(AS AMENDED AND PASSED BY THE SENATE MARCH 21, 1988)

- New Language by the Senate

* - Language Stricken by the Senate

Passed Senate, Date 4/9/88 ^(p. 1373) Passed House, Date 3/31/88 ^(p. 1315)
Vote: Ayes 43 Nays 3 Vote: Ayes 79 Nays 16
See below Approved Item Vote 4/15/88 See below

A BILL FOR

1 An Act relating to and making appropriations to state agencies
2 whose responsibilities relate to general services, public
3 defense, public safety, transportation, and enforcement, and
4 including allocation and use of moneys from the road use tax
5 fund and abstract fee fund, providing an increase in the
6 abstract fee, mandating reports of certain agency purchases,
7 renaming the chief executive officer of the department of
8 public safety, and providing effective dates.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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Conference Committee Appointed 4/11/88
Senators Luttinger (Chair) Wulch, Coleman, D'Hall, Jensen (p. 1425)
Representatives Pauson (Chair) Jackson, Colborn, D'Hall, Bueson (p. 1711)

Passed Senate 4/13/88 (p. 1492) 31-16
Passed House 4/13/88 (p. 1837) 76-18

IOWA LAW ENFORCEMENT ACADEMY

1
2 Section 1. There is appropriated from the general fund of
3 the state to the Iowa law enforcement academy for the fiscal
4 year beginning July 1, 1988, and ending June 30, 1989, the
5 following amount, or so much thereof as is necessary, for
6 salaries and support of not more than twenty-two point two
7 full-time equivalent positions, maintenance, and miscellaneous
8 purposes, including jailer training and technical assistance:
9 \$ 707,165

10 Sec. 2. Notwithstanding section 80B.11, subsection 5, dur-
11 ing the fiscal year beginning July 1, 1988, not more than one-
12 half of the cost of providing cognitive and psychological ex-
13 aminations of law enforcement officer candidates may be
14 charged for taking the examinations by the Iowa law
15 enforcement academy. However, no charge shall be made for
16 officer candidates being tested on behalf of state departments
17 or agencies.

18 The Iowa law enforcement academy may also charge not more
19 than one-half of the cost of providing the ten-week course
20 which is designed to meet the minimum basic training require-
21 ments for a law enforcement officer. However, a charge shall
22 not be made for officers employed by state departments or
23 agencies.

24 Sec. 3. The Iowa law enforcement academy is projected to
25 raise at least an additional two hundred one thousand
26 (201,000) dollars in receipts and federal funds.

27 DEPARTMENT OF PUBLIC DEFENSE

28 Sec. 4. There is appropriated from the general fund of the
29 state to the department of public defense for the fiscal year
30 beginning July 1, 1988, and ending June 30, 1989, the
31 following amounts, or so much thereof as is necessary, to be
32 used for the purposes designated:

33 1. For salaries and support of not more than one hundred
34 thirty-nine point forty-two full-time equivalent positions,
35 maintenance, and miscellaneous purposes:

1 \$ 3,256,709

2 Notwithstanding section 29A.33, the per capita annual
3 allowance to units will be five dollars per capita to be paid
4 on a semiannual basis in installments of two dollars fifty
5 cents per capita for the fiscal year beginning July 1, 1988,
6 and ending June 30, 1989. The per capita allowance shall be
7 used for morale purposes and be for the welfare of the troops
8 and in no circumstances expended for support and maintenance.

9 2. For the war orphans educational aid fund:
10 \$ 15,185

11 3. For salaries and support of not more than three full-
12 time equivalent positions, maintenance, and miscellaneous pur-
13 poses for the purpose of emergency response planning:
14 \$ 106,837

15 Sec. 5. Notwithstanding section 384.15, subsection 7,
16 paragraph "b", there is appropriated from the unencumbered and
17 unobligated funds remaining in the law enforcement training
18 reimbursement fund on June 30, 1988, to the department of
19 public defense for the fiscal year beginning July 1, 1988, and
20 ending June 30, 1989, the sum of eighty-six thousand (86,000)
21 dollars, or so much thereof as is necessary, for purposes of
22 preventing the contamination of the groundwater in the Camp
23 Dodge area.

24 Sec. 6. The department of public defense is projected to
25 raise at least an additional three million one hundred fifty
26 thousand (3,150,000) dollars in receipts and federal funds.

27 DEPARTMENT OF PUBLIC SAFETY

28 Sec. 7. There is appropriated from the general fund of the
29 state to the department of public safety for the fiscal year
30 beginning July 1, 1988, and ending June 30, 1989, the
31 following amounts, or so much thereof as is necessary, to be
32 used for funding the following functions and programs for the
33 purposes designated:

34 1. For the department's administrative functions including
35 the medical examiner's office and the criminal justice

1 information system, the sum of one million nine hundred ninety
2 thousand six hundred eight (1,990,608) dollars, or so much
3 thereof as is necessary, and as a condition, limitation, and
4 qualification of this appropriation, no more than one million
5 four hundred twenty thousand three hundred thirty-five
6 (1,420,335) dollars from all revenue sources, plus an
7 allocation from the salary adjustment fund pursuant to section
8 8.43, may be expended for salaries and benefits for not more
9 than forty-five full-time equivalent positions and not more
10 than one million one hundred seventy-one thousand four hundred
11 twenty-three (1,171,423) dollars from all revenue sources may
12 be expended for support and miscellaneous purposes.
13 Unanticipated federal and local grants or receipts received
14 after this Act becomes effective are not subject to this
15 condition.

16 2. The balance of the fund created under section 321J.17
17 carried forward for the fiscal year beginning July 1, 1988,
18 and ending June 30, 1989, may be used to provide salary and
19 support of not more than eight point five full-time equivalent
20 positions and maintenance for the victim compensation func-
21 tions of the department of public safety.

22 3. For purposes relating to radio communications, the sum
23 of two million eight hundred twenty-five thousand two hundred
24 ninety-two (2,825,292) dollars, or so much thereof as is
25 necessary, and as a condition, limitation, and qualification
26 of this appropriation, no more than two million two hundred
27 eighty-two thousand eight hundred seventy-six (2,282,876)
28 dollars from all revenue sources, plus an allocation from the
29 salary adjustment fund pursuant to section 8.43, may be
30 expended for salaries and benefits for not more than seventy-
31 eight point five full-time equivalent positions and not more
32 than five hundred fifty-four thousand six hundred sixty-six
33 (554,666) dollars from all revenue sources may be expended for
34 support and miscellaneous purposes. Unanticipated federal and
35 local grants or receipts received after this Act becomes

1 effective are not subject to this condition.

2 4. a. For the division of criminal investigation
3 containing the bureaus of identification and liquor law
4 enforcement, including the state's contribution to the peace
5 officers' retirement, accident, and disability system provided
6 in chapter 97A in the amount of sixteen percent of the
7 salaries for which the funds are appropriated, the sum of
8 three million seven hundred three thousand one hundred eight
9 (3,703,108) dollars, or so much thereof as is necessary, and
10 as a condition, limitation, and qualification of this
11 appropriation, no more than four million one hundred sixty-
12 eight thousand two hundred forty-nine (4,168,249) dollars from
13 all revenue sources, plus an allocation from the salary
14 adjustment fund pursuant to section 8.43, may be expended for
15 salaries and benefits for not more than one hundred eleven
16 full-time equivalent positions and not more than six hundred
17 two thousand three hundred fifty-three (602,353) dollars from
18 all revenue sources may be expended for support and
19 miscellaneous purposes, including lease and lease purchase of
20 laboratory equipment. Unanticipated federal and local grants
21 or receipts received after this Act becomes effective are not
22 subject to this condition.

23 b. Notwithstanding section 384.15, subsection 7, paragraph
24 "b", there is appropriated from the unencumbered and
25 unobligated money remaining in the law enforcement training
26 reimbursement fund on June 30, 1988, to the department of
27 public safety, division of criminal investigation, the sum of
28 two hundred thousand (200,000) dollars, or so much thereof as
29 is necessary, to be used for salaries, support, maintenance,
30 and miscellaneous purposes.

31 5. For the pari-mutuel law enforcement agents, including
32 the state's contribution to the peace officers' retirement,
33 accident, and disability system provided in chapter 97A in the
34 amount of sixteen percent of the salaries for which the funds
35 are appropriated, the sum of two hundred twenty-seven thousand

1 six hundred sixty-five (227,665) dollars, or so much thereof
2 as is necessary, and as a condition, limitation, and
3 qualification of this appropriation, no more than one hundred
4 seventy-seven thousand three hundred thirty-six (177,336)
5 dollars from all revenue sources, plus an allocation from the
6 salary adjustment fund pursuant to section 8.43, may be
7 expended for salaries and benefits for not more than five
8 full-time equivalent positions and not more than fifty
9 thousand three hundred twenty-nine (50,329) dollars from all
10 revenue sources may be expended for support and miscellaneous
11 purposes. Unanticipated federal and local grants or receipts
12 received after this Act becomes effective are not subject to
13 this condition.

14 6. a. For the division of narcotics, including the
15 state's contribution to the peace officers' retirement,
16 accident, and disability system provided in chapter 97A in the
17 amount of sixteen percent of the salaries for which the funds
18 are appropriated, the sum of nine hundred sixty-nine thousand
19 fifteen (969,015) dollars, or so much thereof as is necessary,
20 and as a condition, limitation, and qualification of this
21 appropriation, no more than eight hundred fifty-nine thousand
22 eight hundred ninety-nine (859,899) dollars from all revenue
23 sources, plus an allocation from the salary adjustment fund
24 pursuant to section 8.43, may be expended for salaries and
25 benefits for not more than twenty-three full-time equivalent
26 positions and not more than one hundred thirty-two thousand
27 six hundred sixteen (132,616) dollars from all revenue sources
28 may be expended for support and miscellaneous purposes.
29 Unanticipated federal and local grants or receipts received
30 after this Act becomes effective are not subject to this
31 condition.

32 b. Notwithstanding section 384.15, subsection 7, paragraph
33 "b", there is appropriated from the unencumbered and
34 unobligated money remaining in the law enforcement training
35 reimbursement fund on June 30, 1988, to the department of

1 public safety, division of narcotics, the sum of two hundred
2 thousand (200,000) dollars for undercover purchases by the
3 division of narcotics and local law enforcement agencies.

4 7. For the fire marshal's office, including the state's
5 contribution to the peace officers' retirement, accident, and
6 disability system provided in chapter 97A in the amount of
7 sixteen percent of the salaries for which the funds are
8 appropriated, the sum of one million one hundred ninety-one
9 thousand three hundred ninety-five (1,191,395) dollars, or so
10 much thereof as is necessary, and as a condition, limitation,
11 and qualification of this appropriation, no more than one
12 million one hundred fifty thousand two hundred nineteen
13 (1,150,219) dollars from all revenue sources, plus an
14 allocation from the salary adjustment fund pursuant to section
15 8.43, may be expended for salaries and benefits for not more
16 than thirty-one full-time equivalent positions and not more
17 than one hundred eighty-two thousand two hundred seventy-six
18 (182,276) dollars from all revenue sources may be expended for
19 support and miscellaneous purposes. Unanticipated federal and
20 local grants or receipts received after this Act becomes
21 effective are not subject to this condition.

22 8. For the capitol security division, the sum of nine
23 hundred seventy-six thousand two hundred ninety-two (976,292)
24 dollars, or so much thereof as is necessary, and as a
25 condition, limitation, and qualification of this
26 appropriation, no more than nine hundred two thousand three
27 hundred eighty-seven (902,387) dollars from all revenue
28 sources, plus an allocation from the salary adjustment fund
29 pursuant to section 8.43, may be expended for salaries and
30 benefits for not more than thirty-six full-time equivalent
31 positions and not more than seventy-three thousand nine
32 hundred five (73,905) dollars from all revenue sources may be
33 expended for support and miscellaneous purposes.
34 Unanticipated federal and local grants or receipts received
35 after this Act becomes effective are not subject to this

1 condition.

2 Sec. 8. There is appropriated from the road use tax fund
3 to the department of public safety, division of highway safety
4 and uniformed force, for the fiscal year beginning July 1,
5 1988, and ending June 30, 1989, the following amounts, or so
6 much thereof as is necessary, to be used as follows:

7 1. The sum of nineteen million eight hundred ninety-nine
8 thousand three hundred fifty-one (19,899,351) dollars, or so
9 much thereof as is necessary, and as a condition, limitation,
10 and qualification of this appropriation, no more than sixteen
11 million two hundred six thousand seventy-one (16,206,071)
12 dollars from all revenue sources, plus an allocation from the
13 salary adjustment fund pursuant to section 8.43, may be
14 expended for salaries and benefits for not more than four
15 hundred forty-three full-time equivalent positions and not
16 more than four million ninety-nine thousand five hundred
17 fifty-three (4,099,553) dollars from all revenue sources may
18 be expended for support and miscellaneous purposes including
19 the federal Highway Safety Act program, and the state's
20 contributions to the peace officers' retirement, accident, and
21 disability system provided in chapter 97A in the amount of
22 sixteen percent of the salaries for which the funds are
23 appropriated, and as an additional condition, limitation, and
24 qualification of this appropriation the Iowa law enforcement
25 academy shall be allowed to annually select up to five
26 automobiles of the department of public safety, division of
27 highway safety and uniformed force, which are being turned in
28 to the state vehicle dispatcher to be disposed of by public
29 auction and the Iowa law enforcement academy shall be allowed
30 to exchange any automobile owned by the academy for each
31 automobile selected if the selected automobile is used in
32 training law enforcement officers at the academy, however, any
33 automobile exchanged by the academy shall be substituted for
34 the selected vehicle of the department of public safety and
35 sold by public auction with the receipts being deposited in

1 the depreciation fund to the credit of the department of
2 public safety, division of highway safety and uniformed force.
3 Unanticipated federal and local grants or receipts received
4 after this Act becomes effective are not subject to these
5 conditions.

6 However, the unfunded liability of the peace officers'
7 retirement, accident, and disability system, as of July 1,
8 1986 shall not be considered a liability of the road use tax
9 fund.

10 2. For the capital purchase of mobile vehicle repeater
11 radios and test equipment to be used by the Iowa highway
12 safety patrol, provided that only the lowest, most responsible
13 bid is accepted by the department of public safety in the
14 purchase of these motor vehicle repeater radios:
15 \$ 920,000

16 The mobile vehicle repeater radios are to be placed solely
17 in motor vehicles used by members of the Iowa highway safety
18 patrol below the rank of lieutenant for patrolling the
19 highways.

20 3. For the purpose of making payments to the department of
21 personnel for expenses incurred in administering workers'
22 compensation on behalf of the highway safety division of
23 highway safety and uniformed force:
24 \$ 55,544

25 4. For the purpose of making payments to the department of
26 personnel for expenses incurred in administering the merit
27 system on behalf of the highway safety division of highway
28 safety and uniformed force:
29 \$ 50,000

30 Sec. 9. There is appropriated from the road use tax fund
31 from revenue credited to the road use tax fund under section
32 423.24, subsection 1, paragraph "b" to the department of
33 public safety the sum of six hundred thousand (600,000)
34 dollars, or so much thereof as is necessary, for land
35 acquisition, construction, and other miscellaneous expenses

1 for a new highway patrol post with access to Interstate
2 highways 29, 80, and 680 and the construction of the post's
3 communication tower. Moneys appropriated under this section
4 shall be repaid by the department of public safety to the road
5 use tax fund by June 30, 1991.

6 Sec. 10. There is appropriated from the abstract fee fund
7 created in section 321A.3A to the department of public safety,
8 division of criminal investigation and bureau of
9 identification for the fiscal year beginning July 1, 1988, and
10 ending June 30, 1989, the sum of six hundred thousand
11 (600,000) dollars, or so much thereof as is necessary, for
12 salaries, support, maintenance, and miscellaneous purposes.

13 Sec. 11. The department of public safety is projected to
14 raise at least an additional one million forty-five thousand
15 (1,045,000) dollars in receipts and federal funds.

16 STATE DEPARTMENT OF TRANSPORTATION

17 Sec. 12. It is a condition, limitation, and qualification
18 for moneys appropriated under this section that the state
19 department of transportation provide the legislative fiscal
20 bureau with copies of the minutes of all meetings of the state
21 transportation commission which occur after the effective date
22 of this Act at no cost to the legislative fiscal bureau, and
23 provided that the condition, limitation, and qualification is
24 met, there is appropriated from the road use tax fund to the
25 state department of transportation for the fiscal year
26 beginning July 1, 1988, and ending June 30, 1989, the
27 following amounts, or so much thereof as may be necessary, to
28 be used for the following purposes:

29 1. For salaries, support, maintenance, and miscellaneous
30 purposes for:

31 a. Administrative services, fifty-two point seventy-five
32 full-time equivalent positions:

33 \$ 3,068,632

34 b. General counsel, one point two full-time equivalent
35 positions:

1 \$ 148,151
 2 c. Planning and research, eight point six full-time
 3 equivalent positions:
 4 \$ 286,216
 5 d. Aeronautics and public transit, five full-time
 6 equivalent positions:
 7 \$ 199,673
 8 e. Motor vehicles, five hundred thirty-one point three
 9 full-time equivalent positions:
 10 \$ 15,156,250

11 f. Rail and water, fifteen point four full-time equivalent
 12 positions:
 13 \$ 586,878

14 2. For the purpose of making payments to the department of
 15 personnel for expenses incurred in administering the merit
 16 system on behalf of the state department of transportation, as
 17 required by chapter 19A:
 18 \$ 16,000

19 3. Unemployment compensation:
 20 \$ 12,250

21 Sec. 13. There is appropriated from the road use tax fund
 22 to the department of personnel for the fiscal year beginning
 23 July 1, 1988, and ending June 30, 1989, the sum of thirty-five
 24 thousand eighty (35,080) dollars, or so much thereof as is
 25 necessary, to be used for the purpose of paying workers'
 26 compensation claims under chapter 85 on behalf of employees of
 27 the state department of transportation.

28 Sec. 14. There is appropriated from the primary road fund
 29 to the state department of transportation for the fiscal year
 30 beginning July 1, 1988, and ending June 30, 1989, the
 31 following amounts, or so much thereof as may be necessary, to
 32 be used for the following purposes:

33 1. For salaries, support, maintenance, and miscellaneous
 34 purposes for:
 35 a. Administrative services, three hundred one point

1 twenty-five full-time equivalent positions:
2 \$ 18,802,617
3 b. General counsel, six point eight full-time
4 equivalent positions:
5 \$ 876,849
6 c. Planning and research, one hundred sixty-two point four
7 full-time equivalent positions:
8 \$ 5,438,109
9 d. Aeronautics and public transit, five full-time
10 equivalent positions:
11 \$ 199,673
12 e. Highways, two thousand eight hundred seventy-six full-
13 time equivalent positions:
14 \$117,652,377
15 f. Motor vehicles, eighteen point seven full-time
16 equivalent positions:
17 \$ 529,015
18 g. Rail and water, six point six full-time equivalent
19 positions:
20 \$ 248,793
21 2. To be deposited in the state department of
22 transportation's highway materials and equipment revolving
23 fund established by section 307.47 for funding the increased
24 replacement cost of vehicles:
25 \$ 2,000,000
26 3. For the purpose of making payments to the department of
27 personnel for expenses incurred in administering the merit
28 system on behalf of the state department of transportation, as
29 required by chapter 19A:
30 \$ 304,000
31 4. Unemployment compensation:
32 \$ 232,750
33 Sec. 15. There is appropriated from the primary road fund
34 to the department of personnel for the fiscal year beginning
35 July 1, 1988, and ending June 30, 1989, the sum of six hundred

1 sixty-six thousand five hundred forty (666,540) dollars, or so
2 much thereof as is necessary, for the purpose of paying
3 workers' compensation claims under chapter 85 on behalf of the
4 employees of the state department of transportation.

5 Sec. 16. There is appropriated from the state aviation
6 fund to the state department of transportation for the fiscal
7 year beginning July 1, 1988, and ending June 30, 1989, the
8 following amount, or so much thereof as may be necessary, to
9 be used for the following purposes:

10 For salaries and support of not more than nine full-time
11 equivalent positions, maintenance, and miscellaneous purposes:
12 \$ 348,654

13 Sec. 17. There is appropriated from the primary road fund
14 to the state department of transportation for the fiscal year
15 beginning July 1, 1988, and ending June 30, 1989, the
16 following amounts, or so much thereof as is necessary, to be
17 used in the manner designated:

18 1. For repairing the laboratory lot of the
19 Ames office complex:
20 \$ 150,000

21 The provisions of section 8.33 do not apply to the funds
22 appropriated by this subsection. Unencumbered or unobligated
23 funds remaining on June 30, 1990, from funds appropriated for
24 the fiscal year beginning July 1, 1988, shall revert to the
25 fund from which appropriated on September 30, 1990.

26 2. For the replacement of obsolete field facilities
27 located in the cities of Chariton, Waverly, and Maquoketa and
28 the purchase of a parcel of land at Jefferson:
29 \$ 2,055,000

30 The state department of transportation shall continue its con-
31 struction program of replacing obsolete field facilities and
32 shall also conduct a needs assessment study of the
33 department's maintenance facilities construction needs and
34 shall present the findings of the study to the Seventy-third
35 General Assembly in January 1990.

1 The state department of transportation shall complete the
2 Greenfield field facility by June 30, 1991.

3 The provisions of section 8.33 do not apply to the funds
4 appropriated by this subsection. Unencumbered or unobligated
5 funds remaining on June 30, 1992, from funds appropriated for
6 the fiscal year beginning July 1, 1988, shall revert to the
7 fund from which appropriated on September 30, 1992.

8 Sec. 18. Receipts from the sale of aircraft which were
9 replaced under the appropriation provided under 1987 Iowa
10 Acts, chapter 232, section 9, are appropriated from the state
11 aircraft revolving fund to the state department of
12 transportation for the fiscal year beginning July 1, 1988, and
13 ending June 30, 1989, for the purposes of terminal
14 improvements at essential air service airports. In selecting
15 projects, the state department of transportation shall give
16 preference to projects that will assist in maintaining and
17 attracting air service. Priority shall be given to projects
18 for terminals which need matching funds to receive federal
19 moneys and which have annual enplanements of under forty
20 thousand persons. The department shall provide funding for as
21 many essential air service communities as possible.

22 Sec. 19. There is appropriated from the abstract fee fund
23 created in section 321A.3A to the state department of
24 transportation for the fiscal year beginning July 1, 1988, and
25 ending June 30, 1989, the sum of two hundred fifty thousand
26 (250,000) dollars, or so much thereof as is necessary, for the
27 purposes of terminal improvements at essential air service
28 airports. However, moneys appropriated under this section
29 shall not be credited to the department until all moneys
30 appropriated from the abstract fee fund under section 10 of
31 this Act have been fully credited. In selecting projects, the
32 state department of transportation shall give preference to
33 projects that will assist in maintaining and attracting air
34 service. Moneys appropriated under this section shall be used
35 only for new projects for terminals which have annual

1 enplanements of under forty thousand persons. The department
 2 shall provide funding for as many essential air service
 3 communities as possible.

4
 5 GENERAL SERVICES

6 Sec. 20. There is appropriated from the abstract fee fund
 7 created in section 321A.3A to the department of general
 8 services for the fiscal year beginning July 1, 1988, and
 9 ending June 30, 1989, the sum of five hundred thousand
 10 (500,000) dollars for the paving and resurfacing of parking
 11 lots on the capitol complex. However, moneys appropriated
 12 under this section shall not be credited to the department
 13 until all moneys appropriated from the abstract fee fund under
 14 section 10 of this Act have been fully credited.

15 Section 8.33 does not apply to the funds appropriated by
 16 this section. However, unencumbered or unobligated funds
 17 remaining on June 30, 1991, from funds appropriated under this
 18 section shall revert to the abstract fee fund on June 30,
 19 1991.

20 CODE CHANGES

21 Sec. 21. Section 7E.4, subsection 5, Code 1987, is amended
 22 to read as follows:

23 5. "Head of the department" means the elective officer,
 24 director, commissioner, or other official in charge of a
 25 department.

26 Sec. 22. NEW SECTION. 29A.58A USE OF FACILITIES FOR
GOVERNMENT COMMODITIES DISTRIBUTION.

27 National guard facilities shall be available at no charge
 28 for the purpose of government commodity program distributions.
 29 The adjutant general shall adopt reasonable requirements
 30 concerning notification of the distribution for scheduling and
 31 cleanup after the monthly distribution.

32 Sec. 23. Section 80.2, Code 1987, is amended to read as
 33 follows:

34 80.2 DIRECTOR COMMISSIONER -- APPOINTMENT.

35 The chief executive officer of the department of public

1 safety is the director commissioner of public safety. The
2 governor shall appoint, subject to confirmation by the senate,
3 a director commissioner of public safety, who shall be a
4 person of high moral character, of good standing in the
5 community in which the director commissioner lives, of
6 recognized executive and administrative capacity, and who
7 shall not be selected on the basis of political affiliation.
8 The director commissioner of public safety shall devote full
9 time to the duties of this office; the director commissioner
10 shall not engage in any other trade, business, or profession,
11 nor engage in any partisan or political activity. The
12 director commissioner shall serve at the pleasure of the
13 governor, at an annual salary as fixed by the general
14 assembly.

15 Sec. 24. Section 307.37, Code 1987, is amended to read as
16 follows:

17 307.37 MOTOR VEHICLE FRAUD AND ODOMETER LAW ENFORCEMENT.

18 The department shall investigate and prosecute violators of
19 the laws concerning motor vehicle fraud including, but not
20 limited to, the state and federal odometer law. The
21 department shall refer available evidence concerning a
22 possible violation of the laws concerning motor vehicle fraud
23 including, but not limited to, section 321.71 or the federal
24 odometer law or a rule or order issued under section 321.71 or
25 the federal odometer law, to the attorney general. The
26 attorney general, with or without the referral, may institute
27 appropriate criminal proceedings or may direct the case to the
28 appropriate county attorney to institute appropriate criminal
29 proceedings. The attorney general may use those funds
30 available to the department for this purpose and law
31 enforcement agencies may be reimbursed for expenses incurred
32 in the enforcement of the-state-and-federal-odometer those
33 laws, rules, or orders with the approval of the attorney
34 general and concurrence by the department.

35 Sec. 25. NEW SECTION. 307.39 MAINTENANCE FACILITIES.

1 The department shall maintain maintenance facilities within
2 the boundaries of every county with a population in excess of
3 eight thousand persons in which the department maintains a
4 maintenance facility as of January 1, 1988.

5 Sec. 26. NEW SECTION. 307.40 COPIES OF CONTRACTS TO
6 LEGISLATIVE FISCAL BUREAU.

7 The department shall give a copy of each contract for
8 construction or reconstruction of roads, streets, or bridges
9 entered into by the department in which the contract price is
10 for five million dollars or more to the legislative fiscal
11 bureau.

12 Sec. 27. Section 307.47, Code 1987, is amended to read as
13 follows:

14 307.47 MATERIALS AND EQUIPMENT REVOLVING FUND.

15 1. The highway materials and equipment revolving fund is
16 created from moneys appropriated out of the primary road fund.
17 From this fund shall be paid all costs for materials and
18 supplies, inventoried stock supplies, maintenance and
19 operational costs of equipment, and equipment replacements
20 incurred in the operation of centralized purchasing under the
21 supervision of the department's administrator of highways.
22 Direct salaries and expenses properly chargeable to direct
23 salaries shall be paid from the fund. For each month the
24 director shall render a statement to each unit under the
25 supervision of the administrator of highways for the actual
26 cost of materials and supplies, operational and maintenance
27 costs of equipment, and equipment depreciation used. The
28 expense shall be paid by the administrator of highways in the
29 same manner as other interdepartmental billings are paid and
30 when the expense is paid by the administrator of highways, the
31 sum paid shall be credited to the highway materials and
32 equipment revolving fund.

33 2. If surplus accrues to the revolving fund in excess of
34 one hundred thousand dollars for which there is no anticipated
35 need or use, the governor shall order that surplus reverted to

1 the primary road fund.

2 3. When the units under the supervision of the
3 administrator of highways share equipment with other
4 administrative units of the department, the director shall
5 prorate the costs of the equipment among the administrative
6 units using the equipment.

7 4. The department shall present a purchase report to the
8 legislative fiscal bureau prior to the beginning of each
9 regular annual session of the general assembly. The report
10 shall cover all equipment and vehicle purchases through the
11 highway materials and equipment revolving fund during the
12 preceding fiscal year.

13 Sec. 28. Section 312.2, subsection 9, Code Supplement
14 1987, is amended to read as follows:

15 9. The treasurer of state, before making the allotments
16 provided for in this section, shall credit annually to the
17 division of soil conservation in the department of agriculture
18 and land stewardship ~~two~~ one hundred fifty thousand dollars
19 from the road use tax funds. The division of soil
20 conservation, in co-operation with the state department of
21 transportation and the department of natural resources shall
22 expend the funds, for the lease or other use of land intended
23 for the planting or maintenance of wind erosion control
24 barriers designed to reduce wind erosion interfering with the
25 maintenance of highways in the state or the safe operation of
26 vehicles on the highway. However, the funds shall not be
27 expended for wind erosion control barriers located more than
28 forty rods from the highway.

29 Sec. 29. Section 312.2, subsections 10 and 11, Code
30 Supplement 1987, are amended by striking the subsections.

31 Sec. 30. Section 312.2, subsection 15, Code Supplement
32 1987, is amended to read as follows:

33 15. The treasurer of state, before making the allotments
34 provided for in this section, shall credit annually to the
35 state department of transportation from the road use tax fund

1 an amount equal to twenty-five cents on each title issuance
2 for motor vehicle fraud law enforcement purposes including,
3 but not limited to, the enforcement of state and federal
4 odometer law-enforcement-purposes laws. This-subsection-is
5 effective-for-the-fiscal-period-beginning-July-1,-1984-and
6 ending-June-30,-1989.

7 Sec. 31. Section 312.2, subsection 17, Code Supplement
8 1987, is amended to read as follows:

9 17. The treasurer of state, before making the allotments
10 provided for in this section, shall credit monthly from the
11 road use tax fund to the public transit assistance fund,
12 created under section 601J.6, from revenue credited to the
13 road use tax fund under section 423.24, subsection 1,
14 paragraph "b", an amount equal to one fortieth of the revenue
15 credited to the road use tax fund under section 423.24,
16 subsection 1, paragraph "b".

17 Sec. 32. NEW SECTION. 312.2A ALLOCATIONS FOR TRAILS.

* 18 1. There is appropriated from any private moneys received
19 by the state for recreational trail development purposes to
20 the state department of transportation for the fiscal year
21 beginning July 1, 1988, and ending June 30, 1989, the sum of
22 fifty thousand (50,000) dollars, or so much thereof as is
23 necessary, to acquire land and other property to complete
24 parts of existing recreational trails including, but not
25 limited to, the Cedar Valley nature trail, the Heritage trail,
26 the Grundy county nature trail, and the Comet trail as
27 provided in section 111F.2, subsection 3.

* 28 Sec. 33. Section 321.462, unnumbered paragraph 2, Code
29 1987, is amended to read as follows:

30 The connection between a truck tractor and a semitrailer
31 with a gross weight of three thousand pounds or more shall be
32 of a type approved by the director, and the commissioner is
33 hereby given authority to approve or disapprove such types of
34 connection submitted to the commissioner.

35 Sec. 34. Section 321A.2, subsection 1, Code 1987, is

1 amended to read as follows:

2 1. The director shall administer and enforce the
3 provisions of this chapter and may make rules necessary for
4 its administration and shall provide for hearings upon request
5 of persons aggrieved by orders or acts of the director under
6 the provisions of sections 321A.4 to 321A.11.

7 Such The hearings shall be held before the director as
8 early as practicable within not to exceed twenty days after
9 receipt of such the request in the county wherein in which the
10 requesting person resides unless the director and such the
11 requesting person agree that such the hearing may be held in
12 some other county. Upon such hearing the director may
13 administer oaths and may issue subpoenas for the attendance of
14 witnesses and the production of relevant books and papers and
15 may require an examination under oath of the person requesting
16 such the hearing.

17 Sec. 35. Section 321A.3, subsection 1, Code Supplement
18 1987, is amended to read as follows:

19 1. The director shall upon request furnish any person a
20 certified abstract of the operating record of a person subject
21 to chapter 321 or this chapter. The abstract shall also fully
22 designate the motor vehicles, if any, registered in the name
23 of the person. If there is no record of a conviction of the
24 person having violated any law relating to the operation of a
25 motor vehicle or of any injury or damage caused by the person,
26 the director shall so certify. A fee of four five dollars
27 shall be paid for each abstract except by state, county, city
28 or court officials. The director shall transfer the moneys
29 collected under this section to the treasurer of state who
30 shall credit annually to the abstract fee fund created under
31 section 321A.3A the first one million four hundred fifty
32 thousand dollars collected and shall credit to the general
33 fund all additional moneys collected.

34 Sec. 36. Section 321A.3, subsection 2, Code Supplement
35 1987, is amended to read as follows:

1 2. A sheriff may provide an abstract of the operating
2 record of a person to the person or an individual authorized
3 by the person. The sheriff shall charge a fee of four five
4 dollars for each abstract which the sheriff shall transfer to
5 the director quarterly. The sheriff may charge an additional
6 fee sufficient to cover costs incurred by the sheriff in
7 producing the abstract.

8 Sec. 37. Section 321A.3, Code Supplement 1987, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 5. The director may permit any person to
11 view the operating record of a person subject to chapter 321
12 or this chapter through a computer terminal or computer
13 printout. The director shall not require a fee for a person
14 to view their own operating record, but the director shall
15 impose a fee of two dollars for each operating record viewed
16 in excess of twenty-five in any one calendar day. The
17 director shall transfer the moneys collected under this
18 subsection to the treasurer of state.

19 Sec. 38. Section 321A.3, Code Supplement 1987, is amended
20 by adding the following new subsection:

21 NEW SUBSECTION. 6. Fees under subsections 1 and 5 may be
22 paid by credit cards, as defined in section 537.1301,
23 subsection 16, approved for that purpose by the director of
24 transportation. The director shall enter into agreements with
25 financial institutions extending credit through the use of
26 credit cards to ensure payment of the fees. The director
27 shall adopt rules pursuant to chapter 17A to implement the
28 provisions of this subsection.

29 Sec. 39. Section 321A.3, Code Supplement 1987, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 7. Notwithstanding chapter 22 or any
32 other law of this state, the director shall not make available
33 an operating record in a manner which would result in a fee of
34 less than that provided under this section.

35 Sec. 40. NEW SECTION. 321A.3A ABSTRACT FEE FUND.

1 1. There is created the abstract fee fund. Moneys shall
2 be credited from the abstract fee fund as appropriated by the
3 general assembly.

4 2. The treasurer of state, after crediting moneys
5 appropriated from the abstract fee fund, shall credit any
6 moneys remaining in the abstract fee fund on June 30 of each
7 fiscal year to the road use tax fund to be applied toward the
8 repayment of moneys allocated from the road use tax fund to
9 the department of public safety under section 9 of this Act,
10 until the moneys have been repaid in full.

* 11 MISCELLANEOUS PROVISIONS

12 Sec. 41. 1983 Iowa Acts, chapter 198, section 31, as
13 amended by 1984 Iowa Acts, chapter 1309, section 9, is amended
14 to read as follows:

15 SEC 31. Notwithstanding the provisions of section 423.24,
16 there is transferred from revenues collected under chapter 423
17 during the fiscal year beginning July 1, 1983, and ending June
18 30, 1984, from the use tax imposed on motor vehicles,
19 trailers, and motor vehicle accessories and equipment under
20 section 423.7 the sum of one million (1,000,000) dollars which
21 shall be transferred to the state department of transportation
22 for public transit assistance for the fiscal year beginning
23 July 1, 1983, and ending June 30, 1984. The funds transferred
24 under this section to the state department of transportation
25 for public transit assistance shall be considered an interest-
26 free loan of funds to be received for public transit
27 assistance under the Surface Transportation Assistance Act of
28 1982 and the road use tax fund shall receive reimbursement of
29 the loan during the fiscal period beginning July 1, 1984, and
30 ending June 30, 1989.

31 Sec. 42. 1987 Iowa Acts, chapter 232, section 1, unnum-
32 bered paragraph 2, is amended to read as follows:

33 Notwithstanding section 384.15, subsection 7, paragraph
34 "b", there is appropriated from the unencumbered and
35 unobligated money remaining in the law enforcement training

1 reimbursement fund on June 30, 1987, to the Iowa law
2 enforcement academy the sum of twenty-eight thousand two
3 hundred (28,200) dollars for repair of ~~a-chitter-unit, repair~~
4 ~~of-a-parking-lot,~~ the roof over the indoor firearms range,
5 kitchen equipment, repair or replacement of ~~carpet-and~~
6 ~~replacement-of-a-washing-machine~~ floors at the academy.
7 Notwithstanding section 8.33, the unencumbered and unobligated
8 funds remaining in the appropriation of this paragraph shall
9 revert to the general fund on June 30, 1988.

10 Sec. 43. 1987 Iowa Acts, chapter 232, section 6,
11 subsection 2, is amended by adding the following new
12 unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
14 the funds appropriated by this subsection. However, unencum-
15 bered or unobligated funds remaining on June 30, 1989, from
16 funds appropriated under this subsection shall revert to the
17 road use tax fund on June 30, 1989.

18 Sec. 44. 1987 Iowa Acts, chapter 232, section 10, is
19 amended by adding the following new subsection:

20 NEW SUBSECTION. 6. To meet the requirements of the
21 groundwater protection law by putting in place sniffer wells
22 for the detection of leakage from underground storage tanks:
23 \$ 350,000

24 Section 8.33 does not apply to the funds appropriated by
25 this subsection. However, unencumbered or unobligated funds
26 remaining on June 30, 1989, from funds appropriated for the
27 fiscal year beginning July 1, 1987, and ending June 30, 1988,
28 shall revert to the fund from which appropriated on June 30,
29 1989.

30 Sec. 45. 1987 Iowa Acts, chapter 232, section 11, is
31 amended by adding the following new unnumbered paragraph:

32 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
33 the funds appropriated by this section. However, unencumbered
34 or unobligated funds remaining on June 30, 1989, from funds
35 appropriated under this section shall revert to the road use

1 tax fund on June 30, 1989.

2 Sec. 46. 1987 Iowa Acts, chapter 232, section 15,
3 subsection 3, is amended to read as follows:

4 3. Section 8.33 does not apply to the funds appropriated
5 by this section. However, unencumbered or unobligated funds
6 remaining on June 30, ~~1991~~ 1993 from funds appropriated for
7 the fiscal year beginning July 1, 1987 shall revert to the
8 fund from which appropriated on September 30, ~~1991~~ 1993.

9 Sec. 47. 1987 Iowa Acts, chapter 232, section 30, is
10 amended to read as follows:

11 SEC. 30. 1986 Iowa Acts, chapter 1246, section 12, is
12 amended by adding the following new unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to
14 the funds appropriated by subsection 5 of this section.
15 However, unencumbered or unobligated funds remaining on June
16 30, 1991, from funds appropriated for the fiscal year
17 beginning July 1, 1986, shall revert to the fund from which
18 appropriated on September 30, 1991.

19 Sec. 48. 1987 Iowa Acts, chapter 233, section 120,
20 subsections 2 through 4, are amended to read as follows:

21 2. There is appropriated from the road use tax fund of the
22 state to the state department of transportation, for the
23 fiscal year beginning July 1, 1987, the sum of ~~two~~ six hundred
24 ninety-six thousand forty-five (~~296,045~~ 696,045) dollars, or
25 so much thereof as may be necessary, to supplement other funds
26 appropriated by the general assembly.

27 3. There is appropriated from the road use tax fund of the
28 state to the department of public safety, for the fiscal year
29 beginning July 1, 1987, the sum of ~~five-hundred~~ one million
30 sixty-five thousand nine hundred eighteen (~~565,918~~ 1,065,918)
31 dollars, or so much thereof as may be necessary, to supplement
32 other funds appropriated by the general assembly.

33 4. There is appropriated from the primary road fund to the
34 state department of transportation, for the fiscal year
35 beginning July 1, 1987, the sum of ~~two~~ four million one

1 hundred fifty-nine thousand seven hundred thirteen (2,159,713
2 4,159,713) dollars, or so much thereof as may be necessary, to
3 supplement other funds appropriated by the general assembly.

4 Sec. 49. Moneys appropriated for any new program or
5 function shall be used solely for that program or function and
6 moneys shall not be transferred from such appropriations or
7 used for any other purpose.

8 Sec. 50. The legislative fiscal bureau shall conduct a
9 program evaluation of the administration of motor vehicles of
10 the state department of transportation. The state department
11 of transportation and the department of public safety shall
12 cooperate with the legislative fiscal bureau in providing
13 information required by the legislative fiscal bureau in the
14 program evaluation. The legislative fiscal bureau shall make
15 recommendations about the appropriateness of those functions
16 in the state department of transportation. The
17 recommendations shall be completed by December 1, 1988, and
18 presented to the members of the general assembly.

19 Sec. 51. Each department of state government receiving
20 appropriations under this Act, when making purchases of
21 twenty-five thousand dollars or more for which the department
22 does not have specific prior authority from the general
23 assembly, shall notify the legislative fiscal bureau,
24 department of management, and all of the members of the
25 department's respective joint appropriation subcommittee at
26 the time the bids are let.

27 Sec. 52. The director of public safety on June 30, 1988,
28 is the commissioner of public safety on July 1, 1988.

29 Sec. 53. The Code editor shall amend all references in the
30 Code to the director of public safety by striking the word
31 "director" and inserting the word "commissioner".

32 Sec. 54. All federal grants to and the federal receipts of
33 the agencies appropriated funds under this Act are
34 appropriated for the purposes set forth in such federal grants
35 and receipts unless otherwise provided by the general

1 assembly.

* 2 Sec. 55. The legislative council shall cause an audit to
3 be made of moneys appropriated to the state department of
4 transportation. There is appropriated from the primary road
5 fund such moneys as necessary for making this audit.

6 Sec. 56. This section, section 7, section 43, and section
7 45 of this Act take effect June 30, 1988.

8 Sec. 57. This section and sections 28, 32, 42, 44, 47, and
9 48 of this Act, being deemed of immediate importance, take
10 effect upon enactment.

11 SIMILAR TO LSB 8249SC

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SENATE FILE 2314

H-6042

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 7, by striking line 11 and inserting the
4 following: "million three hundred fifty-six thousand
5 (16,356,000)".

6 2. Page 7, line 15, by striking the words "forty-
7 three" and inserting the following: "forty-eight
8 point five".

9 3. Page 7, line 19, by striking the words "the
10 federal Highway Safety Act program" and inserting the
11 following: "federal Highway Safety Act programs".

12 4. Page 8, by inserting after line 9 the
13 following:

14 "An employee of the department of public safety or
15 its successor who retires after the effective date of
16 this Act is eligible for payment of life or health
17 insurance premiums as provided for in the collective
18 bargaining agreement covering the public safety
19 bargaining unit at the time of retirement if that
20 employee previously served in a position which would
21 have been covered by the agreement. The employee
22 shall be given credit for the service in that prior
23 position as though it were covered by that agreement.
24 This section shall not operate to reduce any
25 retirement benefits an employee may have earned under
26 other collective bargaining agreements or retirement
27 programs."

28 5. Page 8, line 18, by striking the word
29 "patrolling" and inserting the following:
30 "patrolling".

31 6. Page 9, by striking lines 14 and 15 and
32 inserting the following: "raise at least an
33 additional one million one hundred ninety-four
34 thousand nine hundred twenty-nine (1,194,929) dollars
35 in receipts and federal funds."

36 7. Page 14, by inserting after line 3 the
37 following:

38 "Sec. ____ . There is appropriated to the state
39 department of transportation from the revenue to be
40 credited to the road use tax fund under section
41 423.24, subsection 1, paragraph "b", for the fiscal
42 year beginning July 1, 1988, and ending June 30, 1989,
43 the sum of two hundred thousand (200,000) dollars, or
44 so much thereof as is necessary, for the purposes of a
45 study and pilot projects to evaluate gaps in the
46 federal aviation weather collection and dissemination
47 system in Iowa. The results of the pilot projects and
48 the study shall be used to make recommendations for a
49 comprehensive, coordinated statewide system to meet
50 the needs of Iowa aviation. The study shall be

H-6042

Page 2

- 1 independently conducted but administered by the state
2 department of transportation. The pilot projects
3 shall include one weather observer only system and one
4 semiautomated system."
- 5 8. Page 14, by striking lines 4 through 18.
6 9. Page 14, by striking lines 25 through 31.
7 10. Page 15, by striking lines 15 through 34.
8 11. By striking page 17, line 31 through page 18,
9 line 6.
10 12. Page 18, line 14, by striking the words "one
11 fortieth" and inserting the following: "~~ene-fortieth~~
12 one-twentieth".
13 13. Page 19, line 31, by striking the words "one
14 million four" and inserting the following: "nine".
15 14. Page 20, by striking line 12 and inserting
16 the following: "or this chapter through one of the
17 department's computer terminals or through a computer
18 printout generated by the department."
19 15. Page 20, line 13, by striking the word
20 "printout."
21 16. Page 20, by striking lines 15 through 18 and
22 inserting the following: "impose a fee of one dollar
23 for each of the first five operating records viewed
24 within a calendar day and two dollars for each
25 additional operating record viewed within the calendar
26 day."
27 17. Page 20, line 32, by inserting before the
28 word "the" the following: "except as provided in
29 subsection 5,".
30 18. Page 20, line 34, by striking the words "this
31 section." and inserting the following: "subsection 1.
32 Should the director make available copies of abstracts
33 of operating records on magnetic tape or on disk or
34 through electronic data transfer, the five dollar fee
35 under subsection 1 applies to each abstract supplied."
36 19. Page 21, line 30, by striking the figure
37 "1989" and inserting the following: "~~1989~~ 1994".
38 20. Page 24, by inserting before line 19 the
39 following:
40 "Sec. ____ . The legislative fiscal bureau shall
41 conduct a study evaluating the administration of the
42 department of public safety specifically identifying
43 areas of duplication or overlap of functions within
44 the department of public safety and with other
45 departments, and reviewing the organizational
46 structure of the department of public safety. The
47 department of public safety and other state
48 departments and agencies shall cooperate with the
49 legislative fiscal bureau in the study. The study
50 shall, upon completion, be presented to the members of

1 the general assembly."
2 21. Page 24, line 33, by inserting after the word
3 "agencies" the following: "which are".

4 22. Page 25, by striking lines 2 through 5.

5 23. Page 25, by inserting before line 6 the
6 following:

7 "Sec. _____. The state department of transportation
8 shall adopt rules pursuant to section 325.26,
9 subsection 1, paragraph "d", providing for lesser
10 levels of financial responsibility for intrastate
11 passenger motor carriers. The rules shall not
12 establish a minimal level of financial responsibility
13 for intrastate passenger motor carriers in excess of
14 one million dollars aggregate."

15 24. Page 25, by inserting before line 6 the
16 following:

17 "Sec. _____. Senate File 2196 appropriated moneys to
18 the state department of transportation for a network
19 of commercial and industrial highways and other
20 expenditures. However, the bill does not require a
21 plan or budget for expenditures to be submitted. In
22 order to effectively track the use of these moneys,
23 the state department of transportation shall submit a
24 spending plan on moneys appropriated to it under
25 Senate File 2196 prior to July 1, 1988, to the
26 legislative fiscal bureau and each member of the
27 fiscal committee of the legislative council and shall
28 also submit to the legislative fiscal bureau and each
29 member of the fiscal committee of the legislative
30 council monthly reports on the actual expenditures.
31 The spending plan should address any additional full-
32 time equivalent employee positions required and major
33 planned expenditures."

34 25. Title page, line 2, by striking the words
35 "general services,".

36 26. By renumbering, relettering, or redesignating
37 and correcting internal references as necessary.

By COMMITTEE ON APPROPRIATIONS
JOCHUM of Dubuque, Chairperson

H-6042 FILED MARCH 29, 1988
Adopted as amended by 6105 & 6134 2/31 (p. 1303)
SENATE FILE 2314

1 Amend Senate File 2314, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 15, by inserting after line 14 the
4 following:

5 "Sec. _____. Section 100.35, Code 1987, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. The rules adopted by the
8 state fire marshal under this section shall provide
9 standards for fire resistance of cellulose insulation
10 sold or used in this state, whether for public or
11 private use. The rules shall provide for approval of
12 the cellulose insulation by at least one nationally
13 recognized independent testing laboratory."

By GRONINGA of Cerro Gordo
PAVICH of Pottawattamie

H-6036 FILED MARCH 29, 1988
Adopted 3/31 (p. 1308)

SENATE FILE 2314

H-5797

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 18, by inserting before line 28 the
4 following:
5 "Sec. ____ . NEW SECTION. 312.2B MAXIMUM
6 APPROPRIATION TO DEPARTMENT OF PUBLIC SAFETY FROM ROAD
7 USE TAX FUND.

8 For the fiscal year beginning July 1, 1987, and
9 ending June 30, 1988, no more than twenty-one million
10 dollars shall be appropriated from the road use tax
11 fund to the department of public safety, division of
12 highway safety and uniformed force. For each
13 succeeding fiscal year the maximum appropriation from
14 the road use tax fund to the department of public
15 safety, division of highway safety and uniformed
16 force, shall be reduced by two point one million
17 dollars. For fiscal years beginning on or after July
18 1, 1997, no moneys shall be appropriated from the road
19 use tax fund to the department of public safety,
20 division of highway safety and uniformed force."

By KOENIGS of Mitchell
LAGESCHULTE of Bremer

H-5797 FILED MARCH 22, 1988

*Substituted for S. 3/31 (p. 1310)
Motion to reconsider S. 3/31 (p. 1314)*

SENATE FILE 2314

H-5891

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 21, line 30, by inserting after the
4 figure "1989." the following: "However, any portion
5 of the loan not reimbursed to the road use tax fund by
6 July 1, 1988, is forgiven. Any reimbursements to the
7 road use tax fund made pursuant to this section prior
8 to July 1, 1988, shall be repaid by the state
9 department of transportation. The state department of
10 transportation shall adopt rules providing for the
11 receipt of applications for the repayments. Not-
12 withstanding section 423.24, there is appropriated
13 from revenues collected under the operation of section
14 423.7 to the state department of transportation such
15 moneys as necessary for making repayments under this
16 section."

By SWARTZ of Marshall

H-5891 FILED MARCH 25, 1988

w/25 3/31 (p. 1314)

SENATE FILE 2314

H-6057

1 Amend Senate File 2314, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 18, by inserting before line 28 the
4 following:
5 "Sec. ____ . Section 321.44, Code 1987, is amended
6 to read as follows:
7 321.44 REGULATIONS GOVERNING CHANGE OF MOTORS
8 ENGINES, DRIVETRAIN ASSEMBLIES AND RELATED PARTS.
9 The director is-authorized-to shall adopt and
10 enforce such rules governing registration and titling
11 of motor vehicles as may-be deemed necessary by the
12 director and compatible with the public interest with
13 respect to the change or substitution of one-engine-in
14 place-of-another engines, drivetrain assemblies or
15 related parts in any motor vehicle."
16 2. Title page, line 6, by inserting after the
17 word "purchases," the following: "mandating adoption
18 of rules governing registration and titling of motor
19 vehicles,".

H-6057 FILED MARCH 30, 1988 BY JOCHUM of Dubuque
Adopted 3/31 (p. 1311)

SENATE FILE 2314

H-6062

1 Amend amendment H-5797 to Senate File 2314, as
2 amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 8, by striking the figure "1987"
5 and inserting the following: "1988".
6 2. Page 1, line 9, by striking the figure "1988"
7 and inserting the following "1989".
8 3. Page 1, line 18, by striking the figure "1997"
9 and inserting the following: "1998".

H-6062 FILED MARCH 30, 1988 BY KOENIGS of Mitchell
Adopted 3/31 (p. 1309)

SENATE FILE 2314

H-6067

1 Amend the Committee on Appropriations amendment, H-
2 5042, to Senate File 2314, as amended, passed, and
3 reprinted by the Senate, as follows:
4 1. Page 1, by striking lines 39 through 41 and
5 inserting the following: "department of
6 transportation from the state aviation fund for the
7 fiscal".

H-6067 FILED MARCH 30, 1988 BY VAN MAANEN of Mahaska
Law 3/31 (p. 1301)

SENATE FILE 2314

H-6069

1 Amend Senate File 2314, as amended, passed, and re-
2 printed by the Senate, as follows:
3 1. Page 19, line 32, by striking the word
4 "general" and inserting the following: "road use
5 tax".

H-6069 FILED MARCH 30, 1988 BY VAN MAANEN of Mahaska
Law 3/31 (p. 1312)

SENATE FILE 2314

H-6075

- 1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 9, line 31, by striking the word "fifty-
4 two" and inserting the following: "forty-eight".
5 2. Page 9, line 33, by striking the figure
6 "3,068,632" and inserting the following: "2,934,438".
7 3. Page 10, line 35, by striking the words "three
8 hundred one" and inserting the following: "two
9 hundred eighty-seven".
10 4. Page 11, line 2, by striking the figure
11 "18,802,617" and inserting the following:
12 "18,075,395".

H-6075 FILED MARCH 30, 1988 BY DE GROOT of Lyon

Adopted 3/31 (p. 1306)
Motion to renumber passed (p. 1314)
Done (p. 1315)

SENATE FILE 2314

H-6076

- 1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 24, by inserting after line 3 the
4 following:
5 "Sec. 777. 1987 Iowa Acts, chapter 233, section
6 120, is amended by adding the following new
7 subsection:
8 NEW SUBSECTION. 7. There is appropriated from the
9 road use tax fund of the state to the state department
10 of transportation, administrative services, for the
11 fiscal year beginning July 1, 1987, the sum of four
12 hundred thousand (400,000) dollars, or so much thereof
13 as may be necessary for the purposes of information
14 processing adjustments. Section 8.33 does not apply
15 to the funds appropriated by this subsection.
16 However, unencumbered or unobligated funds remaining
17 on June 30, 1989, from funds appropriated under this
18 subsection shall revert to the road use tax fund of
19 the state on July 1, 1989."
20 2. Page 25, line 8, by inserting after the figure
21 "47," the following: "777,".
22 3. By renumbering as necessary.

H-6076 FILED MARCH 30, 1988 BY PLATT of Muscatine

Adopted 3/31 (p. 1314)

SENATE FILE 2314

H-6100

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 18, by inserting before line 28 the
4 following:

5 "Sec. 711. Section 321.1, subsection 40,
6 unnumbered paragraphs 3 and 4, Code Supplement 1987,
7 are amended by striking the paragraphs and inserting
8 in lieu thereof the following:

9 "Final stage manufacturer" means a person who
10 performs such manufacturing operations on an
11 incomplete vehicle that it becomes a completed
12 vehicle.

13 "Incomplete vehicle" means an assemblage, as a
14 minimum, consisting of a frame and chassis structure,
15 power train, steering system, suspension system, and
16 braking system, to the extent that those systems are
17 to be a part of the completed vehicle, that requires
18 further manufacturing operations, other than the
19 addition of readily attachable equipment, components,
20 or minor finishing operations.

21 Sec. 712. NEW SECTION. 321.23A IDENTIFICATION BY
22 FINAL STAGE MANUFACTURER.

23 A final stage manufacturer shall furnish to the
24 department a document which identifies that the
25 vehicle was incomplete prior to that manufacturing
26 operation. The identification shall include the name
27 of the incomplete vehicle manufacturer, the date of
28 manufacture, the vehicle identification number to
29 ascertain that the document applies to a particular
30 incomplete vehicle, and such other information as the
31 department may require."

32 2. Page 25, line 8, by inserting after the figure
33 "47," the following: "711,712".

34 3. Title page, line 8, by inserting before the
35 word "and" the following: "reenacting and modifying
36 current Code language pertaining to manufacturing of
37 vehicles,".

BY BEATTY of Warren

JAY of Appanoose

H-6100 FILED MARCH 30, 1988

Revised not german 3/31 (p. 1311)

SENATE FILE 2314

H-6108

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 25, line 8, by inserting after the figure
4 "32," the following: "35 through 40,".

H-6108 FILED MARCH 30, 1988 BY PAVICH of Pottawattamie

Adopted 3/31 (p. 1314)

SENATE FILE 2314

H-6105

1 Amend the Committee on Appropriations amendment, H-
2 6042, to Senate File 2314 as amended, passed, and
3 reprinted by the Senate, as follows:

4 1. Page 2, line 4, by inserting after the word
5 "system." the following: "The moneys appropriated
6 under this section shall be repaid to the road use tax
7 fund from the state aviation fund. For the fiscal
8 year beginning July 1, 1989, and each fiscal year
9 thereafter there is appropriated from the state
10 aviation fund to the road use tax fund the sum of
11 forty thousand (40,000) dollars annually until the
12 full amount of the appropriation under this section
13 has been repaid to the road use tax fund."

H-6105 FILED MARCH 30, 1988 BY HARBOR of Mills

Adopted 3/31 (p 1362)

SENATE FILE 2314

H-6110

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 21, by inserting after line 30 the
4 following:

5 "Each entity which has received a loan pursuant to
6 this section shall have repaid twenty percent of the
7 total amount of the loan by June 30, 1990, forty
8 percent of the total amount of the loan by June 30,
9 1991, sixty percent of the total amount of the loan by
10 June 30, 1992, eighty percent of the total amount of
11 the loan by June 30, 1993, and the total amount of the
12 loan by June 30, 1994. If an entity fails to make a
13 loan repayment as required under this section, the
14 entire amount of the loan is immediately due and
15 payable."

BY BLANSHAN of Greene
HARBOR of Mills

VAN MAANEN of Mahaska
HALVORSON of Clayton

H-6110 FILED MARCH 30, 1988

Adopted 3/31 (p 1313)

SENATE FILE 2314

H-6113

- 1 Amend Senate File 2314 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. By striking page 8, line 30 through page 9,
 4 line 5.
 5 2. Page 21, line 1, by striking the figure "1."
 6 3. Page 21, by striking lines 4 through 10.

H-6113 FILED MARCH 30, 1988 BY VAN MAANEN of Mahaska
w/d 3/31 (p. 1305)

SENATE FILE 2314

H-6114

- 1 Amend Senate File 2314 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 23, line 20, by striking the figure "4"
 4 and inserting the following: "3".
 5 2. By striking page 23, line 33, through page 24,
 6 line 3.

H-6114 FILED MARCH 30, 1988 BY VAN MAANEN of Mahaska
w/d 3/31 (p. 1313)

SENATE FILE 2314

H-6115

- 1 Amend Senate File 2314 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 23, line 20, by striking the words and
 4 figure "subsections 2 through" and inserting the
 5 following: "subsection".
 6 2. Page 23, line 20, by striking the word "are"
 7 and inserting the word "is".
 8 3. Page 23, by striking lines 21 through 32.

H-6115 FILED MARCH 30, 1988 BY VAN MAANEN of Mahaska
w/d 3/31 (p. 1313)

SENATE FILE 2314

H-6127

- 1 Amend Senate File 2314 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 18, by inserting after line 27 the
 4 following:
 5 "2. The treasurer of state, before making the
 6 allotments provided for in section 312.2, shall credit
 7 for the fiscal year beginning July 1, 1988, and ending
 8 June 30, 1989, to the state department of
 9 transportation one hundred thousand dollars from the
 10 road use tax fund from revenue credited to the road
 11 use tax fund under section 423.24, subsection 1,
 12 paragraph "b". The state department of transportation
 13 shall expend the moneys to carry out the statewide
 14 trails development plan provided for in section
 15 111F.2."

Y BLACK of Jasper
 LATT of Muscatine

DIEMER of Black Hawk
 PAVICH of Pottawattamie

H-6127 FILED MARCH 30, 1988

Adopted 3/31 (p. 1312)

SENATE FILE 2314

H-6128

- 1 Amend Senate File 2314 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 8, line 30, by striking the words "road
- 4 use tax" and inserting the following: "primary road".
- 5 2. Page 8, by striking lines 31 and 32 and
- 6 inserting the following: "to the department of".
- 7 3. Page 21, line 1, by striking the figure "1."
- 8 4. Page 21, by striking lines 4 through 10.

BY VAN MAANEN of Mahaska
 MAULSBY of Calhoun
 ROYER of Page

H-6128 FILED MARCH 30, 1988

Law 3/31 (p. 1305)

SENATE FILE 2314

H-6129

- 1 Amend the Committee on Appropriations amendment, H-
- 2 6042, to Senate File 2314, as amended, passed, and
- 3 reprinted by the Senate, as follows:
- 4 1. Page 2, line 37, by striking the figure "1994"
- 5 and inserting the following: "1993".
- 6 2. Page 2, by inserting after line 37 the follow-
- 7 ing:
- 8 " . Page 21, by inserting after line 30 the
- 9 following:

10 "Each entity which has received a loan pursuant to
 11 this section shall have repaid twenty-five percent of
 12 the total amount of the loan by June 30, 1990, fifty
 13 percent of the total amount of the loan by June 30,
 14 1991, seventy-five percent of the total amount of the
 15 loan by June 30, 1992, and the total amount of the
 16 loan by June 30, 1993. If an entity fails to make a
 17 loan repayment as required under this section, the
 18 entity is disqualified from receiving moneys from the
 19 public transit assistance fund."

BY MAULSBY of Calhoun
 VAN MAANEN of Mahaska

H-6129 FILED MARCH 30, 1988

Law 3/31 (p. 1303)

SENATE FILE 2314

H-6132

Amend Senate File 2314 as amended, passed, and reprinted by the Senate, as follows:

3 1. Page 18, by inserting after line 16 the
4 following:

5 "Sec. 717. Section 321.215, subsection 1, Code
6 1987, is amended to read as follows:

7 1. Upon Notwithstanding sections 321.218 and
8 321.560, upon conviction and the suspension or
9 revocation of a person's motor vehicle license under
10 section 321.209, subsections 5 and 6, 321.210,
11 321.218, or 321.555, subsection-2, and upon the denial
12 by the director of an application for a temporary
13 restricted license, a person may apply to the district
14 court having jurisdiction for the residence of the
15 person for a temporary restricted permit to operate a
16 motor vehicle to and from work and to and from school.
17 The application may be granted only if all the
18 following criteria is satisfied:

19 a. The restricted temporary permit is requested
20 only for a case of extreme hardship where alternative
21 means of transportation does not exist.

22 b. The permit applicant has not made an
23 application for such a permit in any other district
24 court in the state which was denied or revoked.

25 c. The permit is restricted for travel to and from
work and to and from school at times specified in the
permit.

26 d. Proof of financial responsibility is
29 established as defined in chapter 321A, however, such
30 proof is not required if the license was suspended,
31 under section 321.513."

32 2. Page 25, by inserting after line 10 the
33 following:

34 "Sec. ____ . PROSPECTIVE AND RETROACTIVE APPLI-
35 CATION. Section 717, being deemed of immediate
36 importance, takes effect upon its enactment. The
37 section applies prospectively. The section also
38 applies retroactively for persons who have had their
39 licenses suspended or revoked under section 321.218,
40 and notwithstanding any other provision of the Code
41 may make application for a temporary restricted permit
42 under section 321.215 and in such instances section
43 321.215, subsection 1, paragraph "b" does not apply."

44 3. Title page, line 3 by inserting before the
45 word "and" the following: "allowing issuance of a
46 temporary restricted permit in certain circumstances
47 with prospective and retroactive application."

H-6132 FILED MARCH 30, 1988 BY DE GROOT of Lyon

7/5 3/31 (7 1202)

SENATE FILE 2314

H-6130

1 Amend Senate File 2314, as amended, passed, and re-
2 printed by the Senate, as follows:

3 1. Page 8, by striking lines 10 through 19.

4 2. Page 8, by inserting after line 29 the
5 following:

6 "Sec. ____ . There is appropriated from the primary
7 road fund to the department of public safety, division
8 of highway safety and uniformed force, for the fiscal
9 year beginning July 1, 1988, and ending June 30, 1989,
10 the following amounts, or so much thereof as is
11 necessary, for the capital purchase of mobile vehicle
12 repeater radios and test equipment to be used by the
13 Iowa highway safety patrol, provided that only the
14 lowest, most responsible bid is accepted by the
15 department of public safety in the purchase of these
16 motor vehicle repeater radios:

17 \$ 920,000

18 The mobile vehicle repeater radios are to be placed
19 solely in motor vehicles used by members of the Iowa
20 highway safety patrol below the rank of lieutenant for
21 patrolling the highways."

BY ROYER of Page
VAN MAANEN of Mahaska
MAULSBY of Calhoun

H-6130 FILED MARCH 30, 1988

Lost 3/31 (p. 1304)

SENATE FILE 2314

H-6134

1 Amend the Committee on Appropriations amendment, H-
2 6042, to Senate File 2314 as amended, passed, and
3 reprinted by the Senate as follow:

4 1. Page 3, line 17, by striking the word "Sec.
5 ____." and inserting the following: "Sec. 707."

6 2. Page 3, line 25, by striking the word and
7 figures "July 1, 1988," and inserting the following:
8 "an expenditure of moneys appropriated under Senate
9 File 2196".

10 3. Page 3, line 27, by striking the words
11 "council and shall" and inserting the following:
12 "council."

13 4. Page 3, by striking lines 28 through 33 and
14 inserting the following: "The state department of
15 transportation shall report to the legislative fiscal
16 bureau and each member of the fiscal committee of the
17 legislative council by January 1, 1989, expenditures
18 made to date in regard to moneys appropriated to the
19 department under Senate File 2196. The state
20 department of transportation shall include in future
21 long range programs adopted pursuant to section
22 307A.2, subsection 12, spending plans on moneys
23 appropriated to it under Senate File 2196. The state
24 department of transportation's budget request for the
25 fiscal year beginning July 1, 1989, and ending June
26 30, 1990, shall address any full-time equivalent
27 positions required for the implementation of Senate
28 File 2196."

29 _____. Page 25, line 8, by inserting after the
30 figure "47," the following: "707,".

By PAVICH of Pottawattamie

H-6134 FILED MARCH 31, 1988

ADOPTED (p 1302)

SENATE FILE 2314
AS AMENDED BY HOUSE APPROPRIATIONS COMMITTEE
FISCAL NOTE

In compliance with a written request received March 30, 1988, a fiscal note for SENATE FILE 2314 AS AMENDED BY HOUSE APPROPRIATIONS COMMITTEE is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate File 2314, as amended by the House Appropriations Committee, increases the fees charged to obtain operating records and imposes a fee for viewing records on Department of Transportation computer terminals.

Assumptions

Sections 35, 36 and 39, as amended, increase the fees charged for abstracts of operating records, furnished by the Department of Transportation (DOT), from four dollars to five dollars. About 775,000 abstracts were furnished in 1987. The fee increase of one dollar would raise the receipts collected by \$775,000, to a total of \$3,875,000.

Section 37 imposes a fee for viewing operating records on the DOT computer terminals. Currently persons may view operating records on DOT computer terminals, at the Office of Driver Services in Des Moines, at no charge. About 395,000 records were viewed on the terminals in 1987. The bill would impose a fee of one dollar for each of the first five operators records viewed and two dollars for each additional operators record viewed, within one calendar day. An individual would be able to view their own record at no charge. The fees imposed under this section are projected to raise \$711,000 in revenues.

Fiscal Impact

Section 35 credits the first \$950,000 collected from the fees to the Abstract Fee Fund. The moneys credited to this Fund are appropriated in the bill. The remaining balance, projected at about \$3.6 million will be credited to the General Fund.

The receipts from current fees collected are credited to the Road Use Tax Fund. This legislation would increase the fees collected by about \$1.5 million and credit all receipts to either the General Fund or the Abstract Fee Fund.

Source: Department of Transportation.

(LSB 8249s. DER)

FILED MARCH 30, 1988

BY DENNIS PROUTY, FISCAL DIRECTOR

HOUSE AMENDMENT TO
SENATE FILE 2314

786

1 Amend Senate File 2314 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 7, by striking line 11 and inserting the
4 following: "million three hundred fifty-six thousand
5 (16,356,000)".

6 2. Page 7, line 15, by striking the words "forty-
7 three" and inserting the following: "forty-eight
8 point five".

9 3. Page 7, line 19, by striking the words "the
10 federal Highway Safety Act program" and inserting the
11 following: "federal Highway Safety Act programs".

12 4. Page 8, by inserting after line 9 the
13 following:

14 "An employee of the department of public safety or
15 its successor who retires after the effective date of
16 this Act is eligible for payment of life or health
17 insurance premiums as provided for in the collective
18 bargaining agreement covering the public safety
19 bargaining unit at the time of retirement if that
20 employee previously served in a position which would
21 have been covered by the agreement. The employee
22 shall be given credit for the service in that prior
23 position as though it were covered by that agreement.
24 This section shall not operate to reduce any
25 retirement benefits an employee may have earned under
26 other collective bargaining agreements or retirement
27 programs."

28 5. Page 8, line 18, by striking the word
29 "patrolling" and inserting the following:
30 "patrolling".

31 6. Page 9, by striking lines 14 and 15 and
32 inserting the following: "raise at least an
33 additional one million one hundred ninety-four
34 thousand nine hundred twenty-nine (1,194,929) dollars
35 in receipts and federal funds."

36 7. Page 14, by inserting after line 3 the
37 following:

38 "Sec. ____ . There is appropriated to the state
39 department of transportation from the revenue to be
40 credited to the road use tax fund under section
41 423.24, subsection 1, paragraph "b", for the fiscal
42 year beginning July 1, 1988, and ending June 30, 1989,
43 the sum of two hundred thousand (200,000) dollars, or
44 so much thereof as is necessary, for the purposes of a
45 study and pilot projects to evaluate gaps in the
46 federal aviation weather collection and dissemination
47 system in Iowa. The results of the pilot projects and
48 the study shall be used to make recommendations for a
49 comprehensive, coordinated statewide system to meet
50 the needs of Iowa aviation. The study shall be

S-5786 Page 2

1 independently conducted but administered by the state
2 department of transportation. The pilot projects
3 shall include one weather observer only system and one
4 semiautomated system. The moneys appropriated under
5 this section shall be repaid to the road use tax fund
6 from the state aviation fund. For the fiscal year
7 beginning July 1, 1989, and each fiscal year
8 thereafter there is appropriated from the state
9 aviation fund to the road use tax fund the sum of
10 forty thousand (40,000) dollars annually until the
11 full amount of the appropriation under this section
12 has been repaid to the road use tax fund."

13 8. Page 14, by striking lines 4 through 18.

14 9. Page 14, by striking lines 25 through 31.

15 10. Page 15, by inserting after line 14 the
16 following:

17 "Sec. _____. Section 100.35, Code 1987, is amended
18 by adding the following new unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. The rules adopted by the
20 state fire marshal under this section shall provide
21 standards for fire resistance of cellulose insulation
22 sold or used in this state, whether for public or
23 private use. The rules shall provide for approval of
24 the cellulose insulation by at least one nationally
25 recognized independent testing laboratory."

26 11. Page 15, by striking lines 15 through 34.

27 12. By striking page 17, line 31 through page 18,
28 line 6.

29 13. Page 18, line 14, by striking the words "one
30 fortieth" and inserting the following: "one-fortieth
31 one-twentieth".

32 14. Page 18, by inserting after line 27 the
33 following:

34 "2. The treasurer of state, before making the
35 allotments provided for in section 312.2, shall credit
36 for the fiscal year beginning July 1, 1988, and ending
37 June 30, 1989, to the state department of
38 transportation one hundred thousand dollars from the
39 road use tax fund from revenue credited to the road
40 use tax fund under section 423.24, subsection 1,
41 paragraph "b". The state department of transportation
42 shall expend the moneys to carry out the statewide
43 trails development plan provided for in section
44 111F.2."

45 15. Page 18, by inserting before line 28 the
46 following:

47 "Sec. _____. Section 321.44, Code 1987, is amended
48 to read as follows:

49 321.44 REGULATIONS GOVERNING CHANGE OF MOTORS
50 ENGINES, DRIVETRAIN ASSEMBLIES AND RELATED PARTS.

1 The director ~~is authorized to~~ shall adopt and
2 enforce ~~such rules governing registration and titling~~
3 of motor vehicles as ~~may be deemed necessary~~ by the
4 director and compatible with the public interest with
5 respect to the change or substitution of ~~one engine in~~
6 ~~place of another engines, drivetrain assemblies or~~
7 ~~related parts in any motor vehicle.~~"

8 16. Page 19, line 31, by striking the words "one
9 million four" and inserting the following: "nine".

10 17. Page 20, by striking line 12 and inserting
11 the following: "or this chapter through one of the
12 department's computer terminals or through a computer
13 printout generated by the department."

14 18. Page 20, line 13, by striking the word
15 "printout."

16 19. Page 20, by striking lines 15 through 18 and
17 inserting the following: "impose a fee of one dollar
18 for each of the first five operating records viewed
19 within a calendar day and two dollars for each
20 additional operating record viewed within the calendar
21 day."

22 20. Page 20, line 32, by inserting before the
23 word "the" the following: "except as provided in
24 subsection 5,".

25 21. Page 20, line 34, by striking the words "this
26 section." and inserting the following: "subsection 1.
27 Should the director make available copies of abstracts
28 of operating records on magnetic tape or on disk or
29 through electronic data transfer, the five dollar fee
30 under subsection 1 applies to each abstract supplied."

31 22. Page 21, line 30, by striking the figure
32 "1989" and inserting the following: "1989 1994".

33 23. Page 21, by inserting after line 30 the
34 following:

35 "Each entity which has received a loan pursuant to
36 this section shall have repaid twenty percent of the
37 total amount of the loan by June 30, 1990, forty
38 percent of the total amount of the loan by June 30,
39 1991, sixty percent of the total amount of the loan by
40 June 30, 1992, eighty percent of the total amount of
41 the loan by June 30, 1993, and the total amount of the
42 loan by June 30, 1994. If an entity fails to make a
43 loan repayment as required under this section, the
44 entire amount of the loan is immediately due and
45 payable."

46 24. Page 24, by inserting after line 3 the
47 following:

48 "Sec. 777. 1987 Iowa Acts, chapter 233, section
49 120, is amended by adding the following new
50 subsection:

1 NEW SUBSECTION. 7. There is appropriated from the
2 road use tax fund of the state to the state department
3 of transportation, administrative services, for the
4 fiscal year beginning July 1, 1987, the sum of four
5 hundred thousand (400,000) dollars, or so much thereof
6 as may be necessary for the purposes of information
7 processing adjustments. Section 8.33 does not apply
8 to the funds appropriated by this subsection.
9 However, unencumbered or unobligated funds remaining
10 on June 30, 1989, from funds appropriated under this
11 subsection shall revert to the road use tax fund of
12 the state on July 1, 1989."

13 25. Page 24, by inserting before line 19 the
14 following:

15 "Sec. _____. The legislative fiscal bureau shall
16 conduct a study evaluating the administration of the
17 department of public safety specifically identifying
18 areas of duplication or overlap of functions within
19 the department of public safety and with other
20 departments, and reviewing the organizational
21 structure of the department of public safety. The
22 department of public safety and other state
23 departments and agencies shall cooperate with the
24 legislative fiscal bureau in the study. The study
25 shall, upon completion, be presented to the members of
26 the general assembly."

27 26. Page 24, line 33, by inserting after the word
28 "agencies" the following: "which are".

29 27. Page 25, by striking lines 2 through 5.

30 28. Page 25, by inserting before line 6 the
31 following:

32 "Sec. _____. The state department of transportation
33 shall adopt rules pursuant to section 325.26,
34 subsection 1, paragraph "d", providing for lesser
35 levels of financial responsibility for intrastate
36 passenger motor carriers. The rules shall not
37 establish a minimal level of financial responsibility
38 for intrastate passenger motor carriers in excess of
39 one million dollars aggregate."

40 29. Page 25, by inserting before line 6 the
41 following:

42 "Sec. 707. Senate File 2196 appropriated moneys to
43 the state department of transportation for a network
44 of commercial and industrial highways and other
45 expenditures. However, the bill does not require a
46 plan or budget for expenditures to be submitted. In
47 order to effectively track the use of these moneys,
48 the state department of transportation shall submit a
49 spending plan on moneys appropriated to it under
50 Senate File 2196 prior to an expenditure of moneys

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1 appropriated under Senate File 2196 to the legislative
2 fiscal bureau and each member of the fiscal committee
3 of the legislative council. The state department of
4 transportation shall report to the legislative fiscal
5 bureau and each member of the fiscal committee of the
6 legislative council by January 1, 1989, expenditures
7 made to date in regard to moneys appropriated to the
8 department under Senate File 2196. The state
9 department of transportation shall include in future
10 long range programs adopted pursuant to section
11 307A.2, subsection 12, spending plans on moneys
12 appropriated to it under Senate File 2196. The state
13 department of transportation's budget request for the
14 fiscal year beginning July 1, 1989, and ending June
15 30, 1990, shall address any full-time equivalent
16 positions required for the implementation of Senate
17 File 2196."

18 30. Page 25, line 8, by inserting after the
19 figure "32," the following: "35 through 40,".

20 31. Page 25, line 8, by inserting after the
21 figure "47," the following: "707,".

22 32. Page 25, line 8, by inserting after the
23 figure "47," the following: "777,".

24 33. Title page, line 2, by striking the words
25 "general services,".

26 34. Title page, line 6, by inserting after the
27 word "purchases," the following: "mandating adoption
28 of rules governing registration and titling of motor
29 vehicles,".

30 35. By renumbering, relettering, or redesignating
31 and correcting internal references as necessary.

S-5786

Filed April 5, 1988

House Amended in Conference 4/5 (7-375)

RECEIVED FROM THE HOUSE

SENATE FILE 2314

822

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the fol-
5 lowing:

6 "_____. Page 3, by striking lines 1 and 2 and
7 inserting the following: "information system, the sum
8 of one million nine hundred thirty-five thousand six
9 hundred eight (1,935,608) dollars, or so much."

10 2. Page 1, by striking lines 12 through 27.

11 3. Page 2, by inserting before line 26 the fol-
12 lowing:

13 "_____. Page 15, by inserting after line 14 the
14 following:

15 "Sec. _____. Section 302.1, Code Supplement 1987, is
16 amended by adding the following new subsection:

17 NEW SUBSECTION. 6. All other moneys by law
18 credited to the permanent school fund."

19 4. Page 4, by inserting after line 12 the
20 following:

21 "_____. Page 24, by inserting before line 4 the
22 following:

23 "Sec. _____. 1988 Iowa Acts, Senate File 2196,
24 section 8, is repealed."

25 5. Page 4, by inserting after line 12 the fol-
26 lowing:

27 "_____. Page 24, by inserting before line 4 the
28 following:

29 "Sec. _____. There is appropriated from the general
30 fund to the permanent school fund the sum of fifty-
31 five thousand (55,000) dollars."

32 6. Page 4, by striking lines 30 through 39.

S-5822

Filed April 6, 1988

Adopted, & Passed 4/7/88 (1325)

BY JOE WELSH
DONALD E. GETTINGS

SENATE FILE 2314

S-5818

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the fol-
5 lowing:

6 "____. Page 3, by striking lines 1 and 2 and
7 inserting the following: "information system, the sum
8 of one million nine hundred thirty-five thousand six
9 hundred eight (1,935,608) dollars, or so much"."

10 2. Page 2, by inserting before line 26 the fol-
11 lowing:

12 "____. Page 15, by inserting after line 14 the
13 following:

14 "Sec. ____ . Section 302.1, Code Supplement 1987, is
15 amended by adding the following new subsection:

16 NEW SUBSECTION. 6. All other moneys by law
17 credited to the permanent school fund."

18 3. Page 4, by inserting after line 12 the
19 following:

20 "____. Page 24, by inserting before line 4 the
21 following:

22 "Sec. ____ . 1988 Iowa Acts, Senate File 2196,
23 section 8, is repealed."

24 4. Page 4, by inserting after line 12 the fol-
25 lowing:

26 "____. Page 24, by inserting before line 4 the
27 following:

28 "Sec. ____ . There is appropriated from the general
29 fund to the permanent school fund the sum of fifty-
30 five thousand (55,000) dollars."

31 5. Page 4, by striking lines 30 through 39.

S-5818

Filed April 6, 1988

W/S 4/7/88 (1325)

BY JOE J. WELSH
DONALD E. GETTINGS

SENATE FILE 2314

S-5841

1 Amend the House amendment, S-5786, to Senate File
2 2314 as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 2, by inserting after line 44 the
5 following:
6 "____. Page 18, by inserting before line 28 the
7 following:
8 "Sec. ____ . NEW SECTION. 312.2B MAXIMUM
9 APPROPRIATION TO DEPARTMENT OF PUBLIC SAFETY FROM ROAD
10 USE TAX FUND.
11 For the fiscal year beginning July 1, 1989, and
12 ending June 30, 1990, no more than twenty-one million
13 dollars shall be appropriated from the road use tax
14 fund to the department of public safety, division of
15 highway safety and uniformed force. For each
16 succeeding fiscal year the maximum appropriation from
17 the road use tax fund to the department of public
18 safety, division of highway safety and uniformed
19 force, shall be reduced by two point one million
20 dollars. For fiscal years beginning on or after July
21 1, 1999, no moneys shall be appropriated from the road
22 use tax fund to the department of public safety,
23 division of highway safety and uniformed force."

S-5841

Filed April 7, 1988
Adopted 4/7/88 (S-5841)

BY JOHN W. JENSEN

SENATE FILE 2314

S-5847

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 5, by inserting after line 25 the
5 following:
6 "____. Title page, line 3, by inserting after the
7 word "enforcement" the following: "and to the
8 permanent school fund"."

S-5847

Filed April 7, 1988
Adopted 4/7/88 (S-5847)

BY DONALD GETTINGS
JOE WELSH

SENATE FILE 2314

S-5854

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted, as follows:
3 1. Page 2, by inserting after line 16 the
4 following:
5 "Sec. ____ . NEW SECTION. 80A.22 SPECIAL EMERGENCY
6 VEHICLES -- CERTIFICATES.
7 1. The commissioner shall adopt rules providing
8 for vehicles owned by private security licensees to be
9 certified as special emergency vehicles when the
10 vehicles are used to extricate or assist persons in
11 dangerous situations involving their bodily welfare.
12 The rules shall include:
13 a. A requirement for current liability insurance
14 coverage in an amount determined by the commissioner
15 sufficient to protect the public against damages that
16 might occur in the course of operation of the special
17 emergency vehicle.
18 b. Specifications for colored lights and other
19 equipment as the commissioner deems necessary.
20 c. Fees for the issuance and renewal of special
21 emergency vehicle certificates, which shall be
22 sufficient to cover administrative costs under this
23 section.
24 d. Provisions governing the duration and renewal
25 of certificates.
26 e. Grounds and procedures for the suspension and
27 revocation of certificates.
28 2. A vehicle for which a special emergency vehicle
29 certificate is issued has the privileges set forth in
30 section 321.231A only when all of the following
31 requirements are met:
32 a. The certificate is carried in the vehicle.
33 b. The vehicle is operated by a person who holds a
34 private security identification card and a special
35 training card.
36 c. The operator of the vehicle is responding to an
37 emergency situation.
38 d. The operator of the vehicle is using a colored
39 light in accordance with requirements established by
40 the commissioner and the department of
41 transportation."

S-5854

Filed April 7, 1988

BY LEE HOLT

(Adopted 4/16/88)

SENATE FILE 2314

S-5803

- 1 Amend amendment S-5792 to the House Amendment
- 2 S-5786, to Senate File 2314 as amended, passed, and
- 3 reprinted by the Senate as follows:
- 4 1. Page 1, line 11, by striking the figure "1987"
- 5 and inserting the following: "1988".
- 6 2. Page 1, line 12, by striking the figure "1988"
- 7 and inserting the following: "1989".

S-5803

Filed April 6, 1988

Revised 4/17/88

BY JOHN W. JENSEN

SENATE FILE 2314

S-5878

- 1 Amend the House amendment, S-5786, to Senate File
- 2 2314, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 4, by inserting after line 12, the
- 5 following:
- 6 " ____ . Page 24, by inserting after line 18, the
- 7 following:
- 8 "Sec. ____ . The legislative fiscal bureau shall
- 9 evaluate the department of public safety's employee
- 10 recruitment, management, and retention policies and
- 11 practices, and submit a report to the legislative
- 12 council on or before January 14, 1989. The report
- 13 shall at minimum address the following:
- 14 1. A method of establishing, and recommended
- 15 structure of, a civil service type commission to
- 16 govern the department of public safety's employment
- 17 program, employer-employee relations, and related
- 18 issues, including recommendations on membership for
- 19 the commission. The commission should operate to
- 20 assure recruitment, development, and retention of
- 21 peace officers and other employees of high caliber,
- 22 and maintenance of fair and just employer-employee
- 23 relations.""
- 24 2. ~~By renumbering as necessary.~~

S-5878

Filed April 8, 1988

ADOPTED

(4.13.88)

BY JOE WELSH
LEE W. HOLT

SENATE FILE 2314

S-5792

1 Amend the House amendment, S-5786, to Senate File
2 2314 as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 2, by inserting after line 44 the
5 following:
6 " Page 18, by inserting before line 28 the
7 following:
8 "Sec. . . . NEW SECTION. 312.2B MAXIMUM
9 APPROPRIATION TO DEPARTMENT OF PUBLIC SAFETY FROM ROAD
10 USE TAX FUND.
11 For the fiscal year beginning July 1, 1987, and
12 ending June 30, 1988, no more than twenty-one million
13 dollars shall be appropriated from the road use tax
14 fund to the department of public safety, division of
15 highway safety and uniformed force. For each
16 succeeding fiscal year the maximum appropriation from
17 the road use tax fund to the department of public
18 safety, division of highway safety and uniformed
19 force, shall be reduced by two point one million
20 dollars. For fiscal years beginning on or after July
21 1, 1997, no moneys shall be appropriated from the road
22 use tax fund to the department of public safety,
23 division of highway safety and uniformed force."

S-5792

Filed April 6, 1988

4/7 (p. 1325)

BY JOHN W. JENSEN
C. JOSEPH COLEMAN
JACK W. HESTER
WILMER RENSINK
RICHARD VANDE HOEF
LINN FUHRMAN
EDGAR H. HOLDEN
HURLEY W. HALL
KENNETH SCOTT
NORMAN J. GOODWIN
JOY CORNING
BERL E. PRIEBE
JIM RIORDAN
DALE TIEDEN
JIM LIND
LEONARD L. BOSWELL
RICHARD F. DRAKE
JACK NYSTROM
JACK RIFE
JOHN E. SOORHOLTZ
LEE W. HOLT
DAVID READINGER
EMIL HUSAK
RAY TAYLOR
EUGENE FRAISE

SENATE FILE 2314

S-5869

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 2, by striking lines 4 through 12 and
5 inserting the following: "semiautomated system."

S-5869

Filed April 8, 1988

ADOPTED
(p. 137)

BY DONALD GETTINGS
JOE WELSH
LEE W. HOLT
RICHARD F. DRAKE
BILL HUTCHINS

SENATE FILE 2314

S-5879

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate
3 as follows:
4 1. Page 3, by inserting after line 7 the
5 following:
6 "Sec. ____ . Section 321.449, Code Supplement 1987,
7 is amended by adding the following new unnumbered
8 paragraph:

9 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
10 provisions of this section, rules adopted under this
11 section for a driver of a commercial vehicle shall not
12 apply to a driver for a private carrier, who is not
13 for hire and who is engaged exclusively in intrastate
14 commerce, when the driver's commercial vehicle is not
15 operated more than one hundred miles from the driver's
16 work reporting location."

S-5879

Filed April 8, 1988

ADOPTED
(p. 157)

BY JOE WELSH
DONALD GETTINGS

SENATE FILE 2314

S-5865

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate
3 as follows:
4 1. Page 3, by inserting after line 7 the
5 following:
6 "Sec. ____ . Section 321.449, Code Supplement 1987,
7 is amended by adding the following new unnumbered
8 paragraph:
9 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
10 provisions of this section, rules adopted under this
11 section for a driver of a commercial vehicle shall not
12 apply to a driver for a private carrier, which is not
13 for hire and which is engaged exclusively in
14 intrastate commerce, when the driver's commercial
15 vehicle is not operated more than one hundred miles
16 from the driver's work reporting location."

-5865

Filed April 8, 1988

WITHDRAWN

BY JOE WELLS
DONALD GETTINGS
JIM RIORDAN

SENATE FILE 2314

S-5866

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate
3 as follows:
4 1. Page 4, by inserting after line 12 the
5 following:
6 "Sec. ____ . 1988 Iowa Acts, Senate File 2196,
7 section 9, is amended to read as follows:
8 SEC. 9. NEW SECTION. 314.20 UTILITY EASEMENTS ON
9 HIGHWAY RIGHT-OF-WAY.
10 The department shall develop an accommodation plan
11 for the longitudinal utility use of freeway right-of-
12 way, in consultation with the utilities board. The
13 plan shall be consistent with the rules of the federal
14 highway administration of the United States department
15 of transportation and shall be submitted to the
16 federal highway administration for its approval by
17 January 1, 1989. In developing the plan, the
18 department shall provide for extended payment and
19 lease agreements to provide continuous funding for the
20 living roadway trust fund. The plan shall provide for
21 charges for the use of the right-of-way and all moneys
22 collected shall be credited to the living roadway
23 trust fund established in section 312.2, subsection
24 21, and shall be used by the department for the
25 planting and maintenance of alternative roadside
26 vegetation on interstate highways. If the department
27 after good faith efforts is unable to negotiate
28 extended payments, the department may negotiate such
29 other payment terms as will maximize revenues to the
30 living roadway trust fund."

S-5866

Filed April 8, 1988

WITHDRAWN

BY JAMES D. WELLS
HURLEY W. HALL

SENATE AMENDMENT TO HOUSE AMENDMENT TO
SENATE FILE 2314

H-6346

1 Amend the House amendment, S-5786, to Senate File
2 2314, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, by inserting after line 2 the fol-
5 lowing:

6 "_____. Page 3, by striking lines 1 and 2 and
7 inserting the following: "information system, the sum
8 of one million nine hundred thirty-five thousand six
9 hundred eight (1,935,608) dollars, or so much"."

10 2. Page 2, by striking lines 4 through 12 and
11 inserting the following: "semiautomated system."

12 3. Page 2, by inserting after line 16 the
13 following:

14 "Sec. _____. NEW SECTION. 80A.22 SPECIAL EMERGENCY
15 VEHICLES -- CERTIFICATES.

16 1. The commissioner shall adopt rules providing
17 for vehicles owned by private security licensees to be
18 certified as special emergency vehicles when the
19 vehicles are used to extricate or assist persons in
20 dangerous situations involving their bodily welfare.
21 The rules shall include:

22 a. A requirement for current liability insurance
23 coverage in an amount determined by the commissioner
24 sufficient to protect the public against damages that
25 might occur in the course of operation of the special
26 emergency vehicle.

27 b. Specifications for colored lights and other
28 equipment as the commissioner deems necessary.

29 c. Fees for the issuance and renewal of special
30 emergency vehicle certificates, which shall be
31 sufficient to cover administrative costs under this
32 section.

33 d. Provisions governing the duration and renewal
34 of certificates.

35 e. Grounds and procedures for the suspension and
36 revocation of certificates.

37 2. A vehicle for which a special emergency vehicle
38 certificate is issued has the privileges set forth in
39 section 321.231A only when all of the following
40 requirements are met:

41 a. The certificate is carried in the vehicle.

42 b. The vehicle is operated by a person who holds a
43 private security identification card and a special
44 training card.

45 c. The operator of the vehicle is responding to an
46 emergency situation.

47 d. The operator of the vehicle is using a colored
48 light in accordance with requirements established by
49 the commissioner and the department of
50 transportation."

H-5346

Page 2

1 4. Page 2, by inserting before line 26 the fol-
2 lowing:

3 "_____. Page 15, by inserting after line 14 the
4 following:

5 "Sec. _____. Section 302.1, Code Supplement 1987, is
6 amended by adding the following new subsection:

7 NEW SUBSECTION. 6. All other moneys by law
8 credited to the permanent school fund.""

9 5. Page 2, by inserting after line 44 the
10 following:

11 "_____. Page 18, by inserting before line 28 the
12 following:

13 "Sec. _____. NEW SECTION. 312.2B MAXIMUM
14 APPROPRIATION TO DEPARTMENT OF PUBLIC SAFETY FROM ROAD
15 USE TAX FUND.

16 For the fiscal year beginning July 1, 1989, and
17 ending June 30, 1990, no more than twenty-one million
18 dollars shall be appropriated from the road use tax
19 fund to the department of public safety, division of
20 highway safety and uniformed force. For each
21 succeeding fiscal year the maximum appropriation from
22 the road use tax fund to the department of public
23 safety, division of highway safety and uniformed
24 force, shall be reduced by two point one million
25 dollars. For fiscal years beginning on or after July
26 1, 1999, no moneys shall be appropriated from the road
27 use tax fund to the department of public safety,
28 division of highway safety and uniformed force.""

29 6. Page 3, by inserting after line 7 the
30 following:

31 "Sec. _____. Section 321.449, Code Supplement 1987,
32 is amended by adding the following new unnumbered
33 paragraph:

34 NEW UNNUMBERED PARAGRAPH. Notwithstanding other
35 provisions of this section, rules adopted under this
36 section for a driver of a commercial vehicle shall not
37 apply to a driver for a private carrier, who is not
38 for hire and who is engaged exclusively in intrastate
39 commerce, when the driver's commercial vehicle is not
40 operated more than one hundred miles from the driver's
41 work reporting location."

42 8. Page 4, by inserting after line 12 the
43 following:

44 "_____. Page 24, by inserting before line 4 the
45 following:

46 "Sec. _____. 1988 Iowa Acts, Senate File 2196,
47 section 8, is repealed.""

48 9. Page 4, by inserting after line 12 the fol-
49 lowing:

50 "_____. Page 24, by inserting before line 4 the

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Page 3

1 following:

"Sec. _____. There is appropriated from the general fund to the permanent school fund the sum of fifty-five thousand (\$55,000) dollars."

5 7. Page 4, by inserting after line 12, the

6 following:

7 "_____. Page 24, by inserting after line 18, the

8 following:

9 "Sec. _____. The legislative fiscal bureau shall
10 evaluate the department of public safety's employee
11 recruitment, management, and retention policies and
12 practices, and submit a report to the legislative
13 council on or before January 14, 1989. The report
14 shall at minimum address the following:

15 1. A method of establishing, and recommended
16 structure of, a civil service type commission to
17 govern the department of public safety's employment
18 program, employer-employee relations, and related
19 issues, including recommendations on membership for
20 the commission. The commission should operate to
21 assure recruitment, development, and retention of
22 peace officers and other employees of high caliber,
23 and maintenance of fair and just employer-employee
24 relations."

25 10. Page 4, by striking lines 30 through 39.

26 11. Page 5, by inserting after line 25 the
27 following:

"_____. Title page, line 3, by inserting after the
word "enforcement" the following: "and to the
30 permanent school fund"."

31 12. By renumbering, relettering, or redesignating
32 and correcting internal references as necessary.

RECEIVED FROM THE SENATE

H-6346 FILED APRIL 8, 1988

House referred to committee 4/11 (p. 1627)
Senate referred to subcommittee 4/11 (p. 425)

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 2314

To the President of the Senate and the Speaker of the House
Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 2314, a bill for an Act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates, respectfully make the following report:

1. That the Senate recedes from its amendment, H-6346.

2. That House amendment, S-5786, to Senate File 2314, as amended, passed, and reprinted by the Senate, is amended as follows:

1. Page 1, by inserting after line 2 the following:

"___. Page 3, by striking lines 1 and 2 and inserting the following: "information system, the sum of one million nine

hundred thirty-five thousand six hundred eight (1,935,608) dollars, or so much".

____. Page 4, by striking lines 8 and 9 and inserting the following: "three million four hundred fifty-three thousand one hundred eight (3,453,108) dollars, or so much thereof as is necessary, and".

2. Page 1, by inserting after line 30 the following:

"____. Page 8, line 35, by inserting after the word "construction" the following: "or purchase of a facility".

____. Page 9, by striking lines 10 and 11 and inserting the following: "ending June 30, 1989, the sum of eight hundred fifty thousand (850,000) dollars, or so much thereof as is necessary, for".

3. Page 1, by inserting after line 35 the following:

"____. Page 13, by striking lines 22 and 23 and inserting the following:

"Sec. _____. Notwithstanding section 423.24, and prior to application of section 423.24, subsection 1, paragraph "b", there is appropriated from revenues derived from the operation of section 423.7 to the state department of".

____. Page 13, by striking lines 28 through 31 and inserting the following: "airports. In selecting projects, the".

4. Page 2, by striking lines 4 through 12 and inserting the following: "semiautomated system."

5. Page 2, by inserting before line 26 the following:

"____. Page 15, by inserting after line 14 the following:

"Sec. _____. Section 302.1, Code Supplement 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 6. All other moneys by law credited to the permanent school fund."

6. Page 4, by inserting after line 12 the following:

"____. Page 24, by inserting after line 3 the following:

"Sec. _____. 1988 Iowa Acts, Senate File 2070, section 7, is amended by striking the section and inserting in lieu thereof the following:

SEC. 7. Section 321.449, Code Supplement 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section for a driver of a commercial vehicle shall not apply to a driver for a private carrier, who is not for hire and who is engaged exclusively in intrastate commerce, when the driver's commercial vehicle is not operated more than one hundred miles from the driver's work reporting location."

7. Page 4, by inserting after line 12 the following:

"___. Page 24, by inserting before line 4 the following:

"Sec. ___. 1988 Iowa Acts, Senate File 2196, section 8, is repealed.""

8. Page 4, by inserting after line 12 the following:

"___. Page 24, by inserting before line 4 the following:

"Sec. ___. There is appropriated from the general fund to the permanent school fund the sum of fifty-five thousand (55,000) dollars.""

9. Page 4, line 21, by inserting after the word "safety." the following: "The study shall also evaluate the department of public safety's employee recruitment, management, and retention policies and practices."

10. Page 4, line 26, by inserting after the word "assembly." the following: "The study shall be completed by January 14, 1989."

11. Page 4, by striking lines 30 through 39.

12. Page 5, by inserting after line 25 the following:

"___. Title page, line 5, by inserting after the words "fee fund," the following: "appropriating moneys to the permanent school fund,.""

13. Page 5, by inserting after line 29 the following:

"___. Title page, line 8, by inserting before the word "and" the following: "changing provisions of the Code relating to application of certain transportation safety regulations, repealing provisions of the Code requiring woodlands, wetlands, public parks, and prime agricultural land

SENATE 32
APRIL 15, 1988

to be protected in the design, construction, and reconstruction of highways, ". "

14. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

DON GETTINGS, Chairperson
C. JOSEPH COLEMAN
RICHARD DRAKE
JOHN W. JENSEN
JOE WELSH

ON THE PART OF THE HOUSE:

EMIL PAVICH, Chairperson
DENNIS COHOON
THOMAS JOCHUM
DONALD PLATT

Senate adopted 4/13 (p. 1492)

CCR -4-

House adopted 4/13 (p. 1836)



OFFICE OF THE GOVERNOR

STATE CAPITOL

DES MOINES, IOWA 50319

515 281-5211

TERRY E. BRANSTAD
GOVERNOR

April 15, 1988

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

I hereby transmit Senate File 2314, an act relating to and making appropriations to state agencies whose responsibilities relate to public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, appropriating moneys to the permanent school fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, mandating adoption of rules governing registration and titling of motor vehicles, renaming the chief executive officer of the department of public safety, changing provisions of the code relating to application of certain transportation safety regulations, repealing provisions of the code requiring woodlands, wetlands, public parks, and prime agricultural land to be protected in the design, construction, and reconstruction of highways, and providing effective dates.

Senate File 2314 is approved with the following exception which I hereby disapprove.

I am unable to approve the item designated as Section 53 of Senate File 2314.

Section 53 of this bill restricts the use of funds appropriated for new programs. In effect, this provision abrogates administrative transfer authority included in Section 8.39 of the Code.

The Honorable Jo Ann Zimmerman
April 15, 1988
Page 2

While I approve of the new programs included in this bill and plan to insure the appropriate administration of them, I cannot accept the language which limits the ability of the executive branch to transfer funds in the event of a budget shortfall. In fact, new programs often have substantial lead times and thus the first full year appropriation often remains partially unspent. In the event of a budget shortfall in the state, utilization of this transfer authority could be essential to avoid the elimination or the drastic cutbacks of other existing programs.

Therefore, the executive branch needs to maintain the flexibility of the current budget transfer authority.

Senate File 2314 also includes a provision which authorizes the Department of Public Safety to construct or purchase facility for a new State Patrol Post with access to Interstates 29, 80, and 680. While I am approving the appropriation for that purpose, I am concerned about the impact of moving the area Post and Communications facility from its present Atlantic headquarters. Therefore, I approve this appropriation with the understanding that the Communications Center will remain in Atlantic. This community has fought back from the farm crisis and is now rebounding economically. Maintaining this Communications Center will provide Atlantic's recovering economy with additional stability.

For the above reasons, I hereby respectfully disapprove the designated item in accordance with Amendment IV of the Amendments of the 1968 Constitution of the State of Iowa. All other items in Senate File 2314 are hereby approved as of this date.

Sincerely,



Terry E. Branstad
Governor

TEB/ps

cc: Secretary of State
Secretary of the Senate
Chief Clerk of the House

SENATE FILE 2314

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO STATE AGENCIES WHOSE RESPONSIBILITIES RELATE TO PUBLIC DEFENSE, PUBLIC SAFETY, TRANSPORTATION, AND ENFORCEMENT, AND INCLUDING ALLOCATION AND USE OF MONEYS FROM THE ROAD USE TAX FUND AND ABSTRACT FEE FUND, APPROPRIATING MONEYS TO THE PERMANENT SCHOOL FUND, PROVIDING AN INCREASE IN THE ABSTRACT FEE, MANDATING REPORTS OF CERTAIN AGENCY PURCHASES, MANDATING ADOPTION OF RULES GOVERNING REGISTRATION AND TITLING OF MOTOR VEHICLES, RENAMING THE CHIEF EXECUTIVE OFFICER OF THE DEPARTMENT OF PUBLIC SAFETY, CHANGING PROVISIONS OF THE CODE RELATING TO APPLICATION OF CERTAIN TRANSPORTATION SAFETY REGULATIONS, REPEALING PROVISIONS OF THE CODE REQUIRING WOODLANDS, WETLANDS, PUBLIC PARKS, AND PRIME AGRICULTURAL LAND TO BE PROTECTED IN THE DESIGN, CONSTRUCTION, AND RECONSTRUCTION OF HIGHWAYS, AND PROVIDING EFFECTIVE DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

IOWA LAW ENFORCEMENT ACADEMY

Section 1. There is appropriated from the general fund of the state to the Iowa law enforcement academy for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amount, or so much thereof as is necessary, for salaries and support of not more than twenty-two point two full-time equivalent positions, maintenance, and miscellaneous purposes, including jailer training and technical assistance:

.....\$ 707,165

Sec. 2. Notwithstanding section 80B.11, subsection 5, during the fiscal year beginning July 1, 1988, not more than one-half of the cost of providing cognitive and psychological examinations of law enforcement officer candidates may be charged for taking the examinations by the Iowa law

enforcement academy. However, no charge shall be made for officer candidates being tested on behalf of state departments or agencies.

The Iowa law enforcement academy may also charge not more than one-half of the cost of providing the ten-week course which is designed to meet the minimum basic training requirements for a law enforcement officer. However, a charge shall not be made for officers employed by state departments or agencies.

Sec. 3. The Iowa law enforcement academy is projected to raise at least an additional two hundred one thousand (201,000) dollars in receipts and federal funds.

DEPARTMENT OF PUBLIC DEFENSE

Sec. 4. There is appropriated from the general fund of the state to the department of public defense for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. For salaries and support of not more than one hundred thirty-nine point forty-two full-time equivalent positions, maintenance, and miscellaneous purposes:

..... \$ 3,256,709

Notwithstanding section 29A.33, the per capita annual allowance to units will be five dollars per capita to be paid on a semiannual basis in installments of two dollars fifty cents per capita for the fiscal year beginning July 1, 1988, and ending June 30, 1989. The per capita allowance shall be used for morale purposes and be for the welfare of the troops and in no circumstances expended for support and maintenance.

2. For the war orphans educational aid fund:

..... \$ 15,185

3. For salaries and support of not more than three full-time equivalent positions, maintenance, and miscellaneous purposes for the purpose of emergency response planning:

..... \$ 106,817

Vetoed: Section 53

Sec. 5. Notwithstanding section 384.15, subsection 7, paragraph "b", there is appropriated from the unencumbered and unobligated funds remaining in the law enforcement training reimbursement fund on June 30, 1988, to the department of public defense for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of eighty-six thousand (86,000) dollars, or so much thereof as is necessary, for purposes of preventing the contamination of the groundwater in the Camp Dodge area.

Sec. 6. The department of public defense is projected to raise at least an additional three million one hundred fifty thousand (3,150,000) dollars in receipts and federal funds.

DEPARTMENT OF PUBLIC SAFETY

Sec. 7. There is appropriated from the general fund of the state to the department of public safety for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used for funding the following functions and programs for the purposes designated:

1. For the department's administrative functions including the medical examiner's office and the criminal justice information system, the sum of one million nine hundred thirty-five thousand six hundred eight (1,935,608) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than one million four hundred twenty thousand three hundred thirty-five (1,420,335) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than forty-five full-time equivalent positions and not more than one million one hundred seventy-one thousand four hundred twenty-three (1,171,423) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

2. The balance of the fund created under section 321J.17 carried forward for the fiscal year beginning July 1, 1988, and ending June 30, 1989, may be used to provide salary and support of not more than eight point five full-time equivalent positions and maintenance for the victim compensation functions of the department of public safety.

3. For purposes relating to radio communications, the sum of two million eight hundred twenty-five thousand two hundred ninety-two (2,825,292) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than two million two hundred eighty-two thousand eight hundred seventy-six (2,282,876) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than seventy-eight point five full-time equivalent positions and not more than five hundred fifty-four thousand six hundred sixty-six (554,666) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

4. a. For the division of criminal investigation containing the bureaus of identification and liquor law enforcement, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, the sum of three million four hundred fifty-three thousand one hundred eight (3,453,108) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than four million one hundred sixty-eight thousand two hundred forty-nine (4,168,249) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than one hundred eleven

full-time equivalent positions and not more than six hundred two thousand three hundred fifty-three (602,353) dollars from all revenue sources may be expended for support and miscellaneous purposes, including lease and lease purchase of laboratory equipment. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

b. Notwithstanding section 384.15, subsection 7, paragraph "b", there is appropriated from the unencumbered and unobligated money remaining in the law enforcement training reimbursement fund on June 30, 1988, to the department of public safety, division of criminal investigation, the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, to be used for salaries, support, maintenance, and miscellaneous purposes.

5. For the pari-mutuel law enforcement agents, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, the sum of two hundred twenty-seven thousand six hundred sixty-five (227,665) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than one hundred seventy-seven thousand three hundred thirty-six (177,336) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than five full-time equivalent positions and not more than fifty thousand three hundred twenty-nine (50,329) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

6. 2. For the division of narcotics, including the state's contribution to the peace officers' retirement,

accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, the sum of nine hundred sixty-nine thousand fifteen (969,015) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than eight hundred fifty-nine thousand eight hundred ninety-nine (859,899) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than twenty-three full-time equivalent positions and not more than one hundred thirty-two thousand six hundred sixteen (132,616) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

b. Notwithstanding section 384.15, subsection 7, paragraph "b", there is appropriated from the unencumbered and unobligated money remaining in the law enforcement training reimbursement fund on June 30, 1988, to the department of public safety, division of narcotics, the sum of two hundred thousand (200,000) dollars for undercover purchases by the division of narcotics and local law enforcement agencies.

7. For the fire marshal's office, including the state's contribution to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, the sum of one million one hundred ninety-one thousand three hundred ninety-five (1,191,395) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than one million one hundred fifty thousand two hundred nineteen (1,150,219) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more

than thirty-one full-time equivalent positions and not more than one hundred eighty-two thousand two hundred seventy-six (182,276) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

8. For the capitol security division, the sum of nine hundred seventy-six thousand two hundred ninety-two (976,292) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than nine hundred two thousand three hundred eighty-seven (902,387) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than thirty-six full-time equivalent positions and not more than seventy-three thousand nine hundred five (73,905) dollars from all revenue sources may be expended for support and miscellaneous purposes. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to this condition.

Sec. 8. There is appropriated from the road use tax fund to the department of public safety, division of highway safety and uniformed force, for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used as follows:

1. The sum of nineteen million eight hundred ninety-nine thousand three hundred fifty-one (19,899,351) dollars, or so much thereof as is necessary, and as a condition, limitation, and qualification of this appropriation, no more than sixteen million three hundred fifty-six thousand (16,356,000) dollars from all revenue sources, plus an allocation from the salary adjustment fund pursuant to section 8.43, may be expended for salaries and benefits for not more than four hundred forty-eight point five full-time equivalent positions and not more

than four million ninety-nine thousand five hundred fifty-three (4,099,553) dollars from all revenue sources may be expended for support and miscellaneous purposes including federal Highway Safety Act programs, and the state's contributions to the peace officers' retirement, accident, and disability system provided in chapter 97A in the amount of sixteen percent of the salaries for which the funds are appropriated, and as an additional condition, limitation, and qualification of this appropriation the Iowa law enforcement academy shall be allowed to annually select up to five automobiles of the department of public safety, division of highway safety and uniformed force, which are being turned in to the state vehicle dispatcher to be disposed of by public auction and the Iowa law enforcement academy shall be allowed to exchange any automobile owned by the academy for each automobile selected if the selected automobile is used in training law enforcement officers at the academy, however, any automobile exchanged by the academy shall be substituted for the selected vehicle of the department of public safety and sold by public auction with the receipts being deposited in the depreciation fund to the credit of the department of public safety, division of highway safety and uniformed force. Unanticipated federal and local grants or receipts received after this Act becomes effective are not subject to these conditions.

However, the unfunded liability of the peace officers' retirement, accident, and disability system, as of July 1, 1986 shall not be considered a liability of the road use tax fund.

An employee of the department of public safety or its successor who retires after the effective date of this Act is eligible for payment of life or health insurance premiums as provided for in the collective bargaining agreement covering the public safety bargaining unit at the time of retirement if that employee previously served in a position which would have

been covered by the agreement. The employee shall be given credit for the service in that prior position as though it were covered by that agreement. This section shall not operate to reduce any retirement benefits an employee may have earned under other collective bargaining agreements or retirement programs.

2. For the capital purchase of mobile vehicle repeater radios and test equipment to be used by the Iowa highway safety patrol, provided that only the lowest, most responsible bid is accepted by the department of public safety in the purchase of these motor vehicle repeater radios:

..... \$ 920,000

The mobile vehicle repeater radios are to be placed solely in motor vehicles used by members of the Iowa highway safety patrol below the rank of lieutenant for patrolling the highways.

3. For the purpose of making payments to the department of personnel for expenses incurred in administering workers' compensation on behalf of the highway safety division of highway safety and uniformed force:

..... \$ 55,544

4. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the highway safety division of highway safety and uniformed force:

..... \$ 50,000

Sec. 9. There is appropriated from the road use tax fund from revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph "b" to the department of public safety the sum of six hundred thousand (600,000) dollars, or so much thereof as is necessary, for land acquisition, construction or purchase of a facility, and other miscellaneous expenses for a new highway patrol post with access to Interstate highways 29, 80, and 680 and the construction of the post's communication tower. Moneys

appropriated under this section shall be repaid by the department of public safety to the road use tax fund by June 30, 1991.

Sec. 10. There is appropriated from the abstract fee fund created in section 321A.3A to the department of public safety, division of criminal investigation and bureau of identification for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of eight hundred fifty thousand (850,000) dollars, or so much thereof as is necessary, for salaries, support, maintenance, and miscellaneous purposes.

Sec. 11. The department of public safety is projected to raise at least an additional one million one hundred ninety-four thousand nine hundred twenty-nine (1,194,929) dollars in receipts and federal funds.

STATE DEPARTMENT OF TRANSPORTATION

Sec. 12. It is a condition, limitation, and qualification for moneys appropriated under this section that the state department of transportation provide the legislative fiscal bureau with copies of the minutes of all meetings of the state transportation commission which occur after the effective date of this Act at no cost to the legislative fiscal bureau, and provided that the condition, limitation, and qualification is met, there is appropriated from the road use tax fund to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1. For salaries, support, maintenance, and miscellaneous purposes for:

a. Administrative services, fifty-two point seventy-five full-time equivalent positions:

..... \$ 3,068,632

b. General counsel, one point two full-time equivalent positions:

..... \$ 148,151

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c. Planning and research, eight point six full-time equivalent positions: \$ 286,216

d. Aeronautics and public transit, five full-time equivalent positions: \$ 199,673

e. Motor vehicles, five hundred thirty-one point three full-time equivalent positions: \$ 15,156,250

f. Rail and water, fifteen point four full-time equivalent positions: \$ 586,878

2. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A: \$ 16,000

3. Unemployment compensation: \$ 12,250

Sec. 13. There is appropriated from the road use tax fund to the department of personnel for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of thirty-five thousand eighty (35,080) dollars, or so much thereof as is necessary, to be used for the purpose of paying workers' compensation claims under chapter 85 on behalf of employees of the state department of transportation.

Sec. 14. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as may be necessary, to be used for the following purposes:

1. For salaries, support, maintenance, and miscellaneous purposes for:

a. Administrative services, three hundred one point twenty-five full-time equivalent positions:

..... \$ 18,802,617

b. General counsel, six point eight full-time equivalent positions: \$ 876,849

c. Planning and research, one hundred sixty-two point four full-time equivalent positions: \$ 5,438,109

d. Aeronautics and public transit, five full-time equivalent positions: \$ 199,673

e. Highways, two thousand eight hundred seventy-six full-time equivalent positions: \$117,652,377

f. Motor vehicles, eighteen point seven full-time equivalent positions: \$ 529,015

g. Rail and water, six point six full-time equivalent positions: \$ 248,793

2. To be deposited in the state department of transportation's highway materials and equipment revolving fund established by section 307.47 for funding the increased replacement cost of vehicles: \$ 2,000,000

3. For the purpose of making payments to the department of personnel for expenses incurred in administering the merit system on behalf of the state department of transportation, as required by chapter 19A: \$ 304,000

4. Unemployment compensation: \$ 232,750

Sec. 15. There is appropriated from the primary road fund to the department of personnel for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of six hundred sixty-six thousand five hundred forty (666,540) dollars, or so

much thereof as is necessary, for the purpose of paying workers' compensation claims under chapter 85 on behalf of the employees of the state department of transportation.

Sec. 16. There is appropriated from the state aviation fund to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amount, or so much thereof as may be necessary, to be used for the following purposes:

For salaries and support of not more than nine full-time equivalent positions, maintenance, and miscellaneous purposes: \$ 348,654

Sec. 17. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the following amounts, or so much thereof as is necessary, to be used in the manner designated:

1. For repairing the laboratory lot of the Ames office complex: \$ 150,000

The provisions of section 8.33 do not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1990, from funds appropriated for the fiscal year beginning July 1, 1988, shall revert to the fund from which appropriated on September 30, 1990.

2. For the replacement of obsolete field facilities located in the cities of Chariton, Waverly, and Maquoketa and the purchase of a parcel of land at Jefferson: \$ 2,055,000

The state department of transportation shall continue its construction program of replacing obsolete field facilities and shall also conduct a needs assessment study of the department's maintenance facilities construction needs and shall present the findings of the study to the Seventy-third General Assembly in January 1990.

The state department of transportation shall complete the Greenfield field facility by June 30, 1991.

The provisions of section 8.33 do not apply to the funds appropriated by this subsection. Unencumbered or unobligated funds remaining on June 30, 1992, from funds appropriated for the fiscal year beginning July 1, 1988, shall revert to the fund from which appropriated on September 30, 1992.

Sec. 18. Receipts from the sale of aircraft which were replaced under the appropriation provided under 1987 Iowa Acts, chapter 232, section 9, are appropriated from the state aircraft revolving fund to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, for the purposes of terminal improvements at essential air service airports. In selecting projects, the state department of transportation shall give preference to projects that will assist in maintaining and attracting air service. Priority shall be given to projects for terminals which need matching funds to receive federal moneys and which have annual enplanements of under forty thousand persons. The department shall provide funding for as many essential air service communities as possible.

Sec. 19. Notwithstanding section 423.24, and prior to application of section 423.24, subsection 1, paragraph "b", there is appropriated from revenues derived from the operation of section 423.7 to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of two hundred fifty thousand (250,000) dollars, or so much thereof as is necessary, for the purposes of terminal improvements at essential air service airports. In selecting projects, the state department of transportation shall give preference to projects that will assist in maintaining and attracting air service. Moneys appropriated under this section shall be used only for new projects for terminals which have annual enplanements of under forty thousand persons. The department shall provide funding for as many essential air service communities as possible.

Sec. 20. There is appropriated to the state department of transportation from the revenue to be credited to the road use tax fund under section 423.24, subsection 1, paragraph "b", for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of two hundred thousand (200,000) dollars, or so much thereof as is necessary, for the purposes of a study and pilot projects to evaluate gaps in the federal aviation weather collection and dissemination system in Iowa. The results of the pilot projects and the study shall be used to make recommendations for a comprehensive, coordinated statewide system to meet the needs of Iowa aviation. The study shall be independently conducted but administered by the state department of transportation. The pilot projects shall include one weather observer only system and one semiautomated system.

CODE CHANGES

Sec. 21. Section 7E.4, subsection 5, Code 1987, is amended to read as follows:

5. "Head of the department" means the elective officer, director, commissioner, or other official in charge of a department.

Sec. 22. Section 80.2, Code 1987, is amended to read as follows:

80.2 DIRECTOR COMMISSIONER -- APPOINTMENT.

The chief executive officer of the department of public safety is the director commissioner of public safety. The governor shall appoint, subject to confirmation by the senate, a director commissioner of public safety, who shall be a person of high moral character, of good standing in the community in which the director commissioner lives, of recognized executive and administrative capacity, and who shall not be selected on the basis of political affiliation. The director commissioner of public safety shall devote full time to the duties of this office; the director commissioner shall not engage in any other trade, business, or profession,

nor engage in any partisan or political activity. The director commissioner shall serve at the pleasure of the governor, at an annual salary as fixed by the general assembly.

Sec. 23. Section 100.35, Code 1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The rules adopted by the state fire marshal under this section shall provide standards for fire resistance of cellulose insulation sold or used in this state, whether for public or private use. The rules shall provide for approval of the cellulose insulation by at least one nationally recognized independent testing laboratory.

Sec. 24. Section 302.1, Code Supplement 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 6. All other moneys by law credited to the permanent school fund.

Sec. 25. NEW SECTION. 307.39 MAINTENANCE FACILITIES.

The department shall maintain maintenance facilities within the boundaries of every county with a population in excess of eight thousand persons in which the department maintains a maintenance facility as of January 1, 1988.

Sec. 26. NEW SECTION. 307.40 COPIES OF CONTRACTS TO LEGISLATIVE FISCAL BUREAU.

The department shall give a copy of each contract for construction or reconstruction of roads, streets, or bridges entered into by the department in which the contract price is for five million dollars or more to the legislative fiscal bureau.

Sec. 27. Section 307.47, Code 1987, is amended to read as follows:

307.47 MATERIALS AND EQUIPMENT REVOLVING FUND.

1. The highway materials and equipment revolving fund is created from moneys appropriated out of the primary road fund. From this fund shall be paid all costs for materials and supplies, inventoried stock supplies, maintenance and

operational costs of equipment, and equipment replacements incurred in the operation of centralized purchasing under the supervision of the department's administrator of highways. Direct salaries and expenses properly chargeable to direct salaries shall be paid from the fund. For each month the director shall render a statement to each unit under the supervision of the administrator of highways for the actual cost of materials and supplies, operational and maintenance costs of equipment, and equipment depreciation used. The expense shall be paid by the administrator of highways in the same manner as other interdepartmental billings are paid and when the expense is paid by the administrator of highways, the sum paid shall be credited to the highway materials and equipment revolving fund.

2. If surplus accrues to the revolving fund in excess of one hundred thousand dollars for which there is no anticipated need or use, the governor shall order that surplus reverted to the primary road fund.

3. When the units under the supervision of the administrator of highways share equipment with other administrative units of the department, the director shall prorate the costs of the equipment among the administrative units using the equipment.

4. The department shall present a purchase report to the legislative fiscal bureau prior to the beginning of each regular annual session of the general assembly. The report shall cover all equipment and vehicle purchases through the highway materials and equipment revolving fund during the preceding fiscal year.

Sec. 28. Section 312.2, subsection 9, Code Supplement 1987, is amended to read as follows:

9. The treasurer of state, before making the allotments provided for in this section, shall credit annually to the division of soil conservation in the department of agriculture and land stewardship ~~two~~ one hundred fifty thousand dollars

from the road use tax funds. The division of soil conservation, in co-operation with the state department of transportation and the department of natural resources shall expend the funds, for the lease or other use of land intended for the planting or maintenance of wind erosion control barriers designed to reduce wind erosion interfering with the maintenance of highways in the state or the safe operation of vehicles on the highway. However, the funds shall not be expended for wind erosion control barriers located more than forty rods from the highway.

Sec. 29. Section 312.2, subsections 10 and 11, Code Supplement 1987, are amended by striking the subsections.

Sec. 30. Section 312.2, subsection 17, Code Supplement 1987, is amended to read as follows:

17. The treasurer of state, before making the allotments provided for in this section, shall credit monthly from the road use tax fund to the public transit assistance fund, created under section 601J.6, from revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph "b", an amount equal to ~~one-fortieth~~ one-twentieth of the revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph "b".

Sec. 31. NEW SECTION. 312.2A ALLOCATIONS FOR TRAILS.

1. There is appropriated from any private moneys received by the state for recreational trail development purposes to the state department of transportation for the fiscal year beginning July 1, 1988, and ending June 30, 1989, the sum of fifty thousand (50,000) dollars, or so much thereof as is necessary, to acquire land and other property to complete parts of existing recreational trails including, but not limited to, the Cedar Valley nature trail, the Heritage trail, the Grundy county nature trail, and the Comet trail as provided in section 111F.2, subsection 3.

2. The treasurer of state, before making the allotments provided for in section 312.2, shall credit for the fiscal

year beginning July 1, 1988, and ending June 30, 1989, to the state department of transportation one hundred thousand dollars from the road use tax fund from revenue credited to the road use tax fund under section 423.24, subsection 1, paragraph "b". The state department of transportation shall expend the moneys to carry out the statewide trails development plan provided for in section 111F.2.

Sec. 32. Section 321.44, Code 1987, is amended to read as follows:

321.44 REGULATIONS GOVERNING CHANGE OF MOTORS ENGINES, DRIVETRAIN ASSEMBLIES AND RELATED PARTS.

The director ~~is authorized to~~ shall adopt and enforce such rules governing registration and titling of motor vehicles as may be deemed necessary by the director and compatible with the public interest with respect to the change or substitution of ~~one engine in place of another~~ engines, drivetrain assemblies or related parts in any motor vehicle.

Sec. 33. Section 321.462, unnumbered paragraph 2, Code 1987, is amended to read as follows:

The connection between a truck tractor and a semitrailer with a gross weight of three thousand pounds or more shall be of a type approved by the director ~~and the commissioner is hereby given authority to approve or disapprove such types of connection submitted to the commissioner.~~

Sec. 34. Section 321A.2, subsection 1, Code 1987, is amended to read as follows:

1. The director shall administer and enforce the provisions of this chapter and may make rules necessary for its administration and shall provide for hearings upon request of persons aggrieved by orders or acts of the director under the provisions of sections 321A.4 to 321A.11.

Such the hearings shall be held before the director as early as practicable within not to exceed twenty days after receipt of such the request in the county wherein in which the requesting person resides unless the director and such the

requesting person agree that such the hearing may be held in some other county. Upon such hearing the director may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require an examination under oath of the person requesting such the hearing.

Sec. 35. Section 321A.3, subsection 1, Code Supplement 1987, is amended to read as follows:

1. The director shall upon request furnish any person a certified abstract of the operating record of a person subject to chapter 321 or this chapter. The abstract shall also fully designate the motor vehicles, if any, registered in the name of the person. If there is no record of a conviction of the person having violated any law relating to the operation of a motor vehicle or of any injury or damage caused by the person, the director shall so certify. A fee of four five dollars shall be paid for each abstract except by state, county, city or court officials. The director shall transfer the moneys collected under this section to the treasurer of state who shall credit annually to the abstract fee fund created under section 321A.3A the first nine hundred fifty thousand dollars collected and shall credit to the general fund all additional moneys collected.

Sec. 36. Section 321A.3, subsection 2, Code Supplement 1987, is amended to read as follows:

2. A sheriff may provide an abstract of the operating record of a person to the person or an individual authorized by the person. The sheriff shall charge a fee of four five dollars for each abstract which the sheriff shall transfer to the director quarterly. The sheriff may charge an additional fee sufficient to cover costs incurred by the sheriff in producing the abstract.

Sec. 37. Section 321A.3, Code Supplement 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 5. The director may permit any person to view the operating record of a person subject to chapter 321 or this chapter through one of the department's computer terminals or through a computer printout generated by the department. The director shall not require a fee for a person to view their own operating record, but the director shall impose a fee of one dollar for each of the first five operating records viewed within a calendar day and two dollars for each additional operating record viewed within the calendar day.

Sec. 38. Section 321A.3, Code Supplement 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 6. Fees under subsections 1 and 5 may be paid by credit cards, as defined in section 537.1301, subsection 16, approved for that purpose by the director of transportation. The director shall enter into agreements with financial institutions extending credit through the use of credit cards to ensure payment of the fees. The director shall adopt rules pursuant to chapter 17A to implement the provisions of this subsection.

Sec. 39. Section 321A.3, Code Supplement 1987, is amended by adding the following new subsection:

NEW SUBSECTION. 7. Notwithstanding chapter 22 or any other law of this state, except as provided in subsection 5, the director shall not make available an operating record in a manner which would result in a fee of less than that provided under subsection 1. Should the director make available copies of abstracts of operating records on magnetic tape or on disk or through electronic data transfer, the five dollar fee under subsection 1 applies to each abstract supplied.

Sec. 40. NEW SECTION. 321A.3A ABSTRACT FEE FUND.

1. There is created the abstract fee fund. Moneys shall be credited from the abstract fee fund as appropriated by the general assembly.

2. The treasurer of state, after crediting moneys appropriated from the abstract fee fund, shall credit any moneys remaining in the abstract fee fund on June 30 of each fiscal year to the road use tax fund to be applied toward the repayment of moneys allocated from the road use tax fund to the department of public safety under section 9 of this Act, until the moneys have been repaid in full.

MISCELLANEOUS PROVISIONS

Sec. 41. 1983 Iowa Acts, chapter 198, section 31, as amended by 1984 Iowa Acts, chapter 1309, section 9, is amended to read as follows:

SEC. 31. Notwithstanding the provisions of section 423.24, there is transferred from revenues collected under chapter 423 during the fiscal year beginning July 1, 1983, and ending June 30, 1984, from the use tax imposed on motor vehicles, trailers, and motor vehicle accessories and equipment under section 423.7 the sum of one million (1,000,000) dollars which shall be transferred to the state department of transportation for public transit assistance for the fiscal year beginning July 1, 1983, and ending June 30, 1984. The funds transferred under this section to the state department of transportation for public transit assistance shall be considered an interest-free loan of funds to be received for public transit assistance under the Surface Transportation Assistance Act of 1982 and the road use tax fund shall receive reimbursement of the loan during the fiscal period beginning July 1, 1984, and ending June 30, 1989 1994.

Each entity which has received a loan pursuant to this section shall have repaid twenty percent of the total amount of the loan by June 30, 1990, forty percent of the total amount of the loan by June 30, 1991, sixty percent of the total amount of the loan by June 30, 1992, eighty percent of the total amount of the loan by June 30, 1993, and the total amount of the loan by June 30, 1994. If an entity fails to make a loan repayment as required under this section, the entire amount of the loan is immediately due and payable.

Sec. 42. 1987 Iowa Acts, chapter 232, section 1, unnumbered paragraph 2, is amended to read as follows:

Notwithstanding section 384.15, subsection 7, paragraph "b", there is appropriated from the unencumbered and unobligated money remaining in the law enforcement training reimbursement fund on June 30, 1987, to the Iowa law enforcement academy the sum of twenty-eight thousand two hundred (28,200) dollars for repair of ~~a-chiller-unit, repair of-a-perking-hot, the roof over the indoor firearms range, kitchen equipment,~~ repair or replacement of carpet-and replacement-of-a-washing-machine floors at the academy. Notwithstanding section 8.33, the unencumbered and unobligated funds remaining in the appropriation of this paragraph shall revert to the general fund on June 30, 1988.

Sec. 43. 1987 Iowa Acts, chapter 232, section 6, subsection 2, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to the funds appropriated by this subsection. However, unencumbered or unobligated funds remaining on June 30, 1989, from funds appropriated under this subsection shall revert to the road use tax fund on June 30, 1989.

Sec. 44. 1987 Iowa Acts, chapter 232, section 10, is amended by adding the following new subsection:

NEW SUBSECTION. 6. To meet the requirements of the groundwater protection law by putting in place sniffer wells for the detection of leakage from underground storage tanks:
..... \$ 350,000

Section 8.33 does not apply to the funds appropriated by this subsection. However, unencumbered or unobligated funds remaining on June 30, 1989, from funds appropriated for the fiscal year beginning July 1, 1987, and ending June 30, 1988, shall revert to the fund from which appropriated on June 30, 1989.

Sec. 45. 1987 Iowa Acts, chapter 232, section 11, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to the funds appropriated by this section. However, unencumbered or unobligated funds remaining on June 30, 1989, from funds appropriated under this section shall revert to the road use tax fund on June 30, 1989.

Sec. 46. 1987 Iowa Acts, chapter 232, section 15, subsection 3, is amended to read as follows:

3. Section 8.33 does not apply to the funds appropriated by this section. However, unencumbered or unobligated funds remaining on June 30, 1991 ~~1993~~ from funds appropriated for the fiscal year beginning July 1, 1987 shall revert to the fund from which appropriated on September 30, 1991 ~~1993~~.

Sec. 47. 1987 Iowa Acts, chapter 232, section 30, is amended to read as follows:

SEC. 30. 1986 Iowa Acts, chapter 1246, section 12, is amended by adding the following new unnumbered paragraph:
NEW UNNUMBERED PARAGRAPH. Section 8.33 does not apply to the funds appropriated by subsection 5 of this section. However, unencumbered or unobligated funds remaining on June 30, 1991, from funds appropriated for the fiscal year beginning July 1, 1986, shall revert to the fund from which appropriated on September 30, 1991.

Sec. 48. 1987 Iowa Acts, chapter 233, section 120, subsections 2 through 4, are amended to read as follows:

2. There is appropriated from the road use tax fund of the state to the state department of transportation, for the fiscal year beginning July 1, 1987, the sum of two six hundred ninety-six thousand forty-five ~~296,045~~ 696,045 dollars, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly.

3. There is appropriated from the road use tax fund of the state to the department of public safety, for the fiscal year beginning July 1, 1987, the sum of five-hundred one million

sixty-five thousand nine hundred eighteen (565,918 ~~1,065,918~~) dollars, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly.

4. There is appropriated from the primary road fund to the state department of transportation, for the fiscal year beginning July 1, 1987, the sum of two ~~four~~ million one hundred fifty-nine thousand seven hundred thirteen (~~2,159,713~~ 4,159,713) dollars, or so much thereof as may be necessary, to supplement other funds appropriated by the general assembly.

Sec. 49. 1987 Iowa Acts, chapter 233, section 120, is amended by adding the following new subsection:

NEW SUBSECTION. 7. There is appropriated from the road use tax fund of the state to the state department of transportation, administrative services, for the fiscal year beginning July 1, 1987, the sum of four hundred thousand (400,000) dollars, or so much thereof as may be necessary for the purposes of information processing adjustments. Section 8.33 does not apply to the funds appropriated by this subsection. However, unencumbered or unobligated funds remaining on June 30, 1989, from funds appropriated under this subsection shall revert to the road use tax fund of the state on July 1, 1989.

Sec. 50. 1988 Iowa Acts, Senate File 2070, section 7, is amended by striking the section and inserting in lieu thereof the following:

SEC. 7. Section 321.449, Code Supplement*1987, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Notwithstanding other provisions of this section, rules adopted under this section for a driver of a commercial vehicle shall not apply to a driver for a private carrier, who is not for hire and who is engaged exclusively in intrastate commerce, when the driver's commercial vehicle is not operated more than one hundred miles from the driver's work reporting location.

Sec. 51. 1988 Iowa Acts, Senate File 2196, section 8, is repealed.

Sec. 52. There is appropriated from the general fund to the permanent school fund the sum of fifty-five thousand (55,000) dollars.

Sec. 53. Moneys appropriated for any new program or function shall be used solely for that program or function and moneys shall not be transferred from such appropriations or used for any other purpose.

Sec. 54. The legislative fiscal bureau shall conduct a program evaluation of the administration of motor vehicles of the state department of transportation. The state department of transportation and the department of public safety shall cooperate with the legislative fiscal bureau in providing information required by the legislative fiscal bureau in the program evaluation. The legislative fiscal bureau shall make recommendations about the appropriateness of those functions in the state department of transportation. The recommendations shall be completed by December 1, 1988, and presented to the members of the general assembly.

Sec. 55. The legislative fiscal bureau shall conduct a study evaluating the administration of the department of public safety specifically identifying areas of duplication or overlap of functions within the department of public safety and with other departments, and reviewing the organizational structure of the department of public safety. The study shall also evaluate the department of public safety's employee recruitment, management, and retention policies and practices. The department of public safety and other state departments and agencies shall cooperate with the legislative fiscal bureau in the study. The study shall, upon completion, be presented to the members of the general assembly. The study shall be completed by January 14, 1989.

Sec. 56. Each department of state government receiving appropriations under this Act, when making purchases of

twenty-five thousand dollars or more for which the department does not have specific prior authority from the general assembly, shall notify the legislative fiscal bureau, department of management, and all of the members of the department's respective joint appropriation subcommittee at the time the bids are let.

Sec. 57. The director of public safety on June 30, 1988, is the commissioner of public safety on July 1, 1988.

Sec. 58. The Code editor shall amend all references in the Code to the director of public safety by striking the word "director" and inserting the word "commissioner".

Sec. 59. All federal grants to and the federal receipts of the agencies which are appropriated funds under this Act are appropriated for the purposes set forth in such federal grants and receipts unless otherwise provided by the general assembly.

Sec. 60. Senate File 2196 appropriated moneys to the state department of transportation for a network of commercial and industrial highways and other expenditures. However, the bill does not require a plan or budget for expenditures to be submitted. In order to effectively track the use of these moneys, the state department of transportation shall submit a spending plan on moneys appropriated to it under Senate File 2196 prior to an expenditure of moneys appropriated under Senate File 2196 to the legislative fiscal bureau and each member of the fiscal committee of the legislative council. The state department of transportation shall report to the legislative fiscal bureau and each member of the fiscal committee of the legislative council by January 1, 1989, expenditures made to date in regard to moneys appropriated to the department under Senate File 2196. The state department of transportation shall include in future long range programs adopted pursuant to section 307A.2, subsection 12, spending plans on moneys appropriated to it under Senate File 2196. The state department of transportation's budget request for

the fiscal year beginning July 1, 1989, and ending June 30, 1990, shall address any full-time equivalent positions required for the implementation of Senate File 2196.

Sec. 61. This section, section 7, section 43, and section 45 of this Act take effect June 30, 1988.

Sec. 62. This section and sections 28, 31, 35 through 40, 42, 44, 47, 48, 49, and 60 of this Act, being deemed of immediate importance, take effect upon enactment.

JO ANN ZIMMERMAN
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2314, Seventy-second General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved *John Ueto* 4/15, 1988

TERRY E. BRANSTAD
Governor